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LEGISLATIVE HISTORY

Public Law 91-512

H.R. 11833

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## INDEX AND SUMMARY OF H.R. 11833

- Apr. 29, 1969 Sen. Muskie et al, introduced and discussed S. 2005 which was referred to S. Public Works Committee. Print of bill as introduced and remarks of Author.
- June 3, 1969 Rep. Rogers of Florida introduced H.R. 11833 which was referred to House Interstate and Foreign Commerce Committee. Print of bill as introduced.
- June 4, 1970 House committee reported H.R. 11833 with amendment. H. Rept. 91-1155. Print of bill and report.
- June 10, 1970 Senate subcommittee approved S. 2005 for full committee consideration.
- June 23, 1970 House passed H.R. 11833 without amendment.
- June 24, 1970 H.R. 11833 referred to Senate Public Works Committee. Print of bill as referred.
- June 23, 1970 Senate public works committee reported S. 2005 with amendments. S. Rept. 91-1034. Print of bill and report.
- July 31, 1970 Senate passed S. 2005 as reported.
- Aug. 3, 1970 Senate reconsidered and passed H.R. 11833 in lieu with amendment substituting the language of S. 2005.
- Sept. 10, 1970 House appointed conferees.
- Sept. 14, 1970 Senate appointed conferees.
- Oct. 7, 1970 House received conference report. H. Rept. 91-1579  
Print of report.
- Senate agreed to conference report on H.R. 11833.
- Oct. 13, 1970 House agreed to conference report on H.R. 11833.
- Oct. 26, 1970 Approved: P.L. 91-512







# S. 2005

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## IN THE SENATE OF THE UNITED STATES

APRIL 29, 1969

Mr. MUSKIE (for himself, Mr. BAYH, Mr. BOGGS, Mr. COOPER, Mr. EAGLETON, Mr. METCALF, Mr. MONTOKA, Mr. RANDOLPH, Mr. SPONG, Mr. YARBOROUGH, and Mr. YOUNG of Ohio) introduced the following bill; which was read twice and referred to the Committee on Public Works

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## A BILL

To amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

1      *Be it enacted by the Senate and House of Representa-*  
2      *tives of the United States of America in Congress assembled,*  
3      That this Act may be cited as the "Resource Recovery Act  
4      of 1969".

5      SEC. 2. Section 203 of the Solid Waste Disposal Act  
6      is amended by inserting at the end thereof the following:

7      "(7) The term 'municipality' means a city, town, bor-  
8      ough, county, parish, district, or other public body created



1 by or pursuant to State law and having jurisdiction over the  
2 disposal of solid wastes.”

3 SEC. 3. (a) Subsection (a) of section 204 of the Solid  
4 Waste Disposal Act is amended by striking out all beginning  
5 with “the development and application” through the end of  
6 such subsection and inserting in lieu thereof the following:  
7 “the reduction of the amount of such waste and unsalvage-  
8 able waste materials, and the development and application  
9 of new and improved methods of collecting and disposing  
10 of solid waste and processing and recovering usable ma-  
11 terials from solid waste (including devices and facilities  
12 therefor).”

13 (b) Such section 204 is further amended by striking out  
14 subsection (d).

15 SEC. 4. The Solid Waste Disposal Act is amended by  
16 redesignating sections 205 and 206 as sections 206 and 207,  
17 respectively, and by inserting after section 204 a new section  
18 as follows:

19 “SPECIAL STUDY AND DEMONSTRATION PROJECTS ON  
20 RECOVERY OF USEFUL MATERIALS

21 “SEC. 205. (a) The Secretary of Health, Education, and  
22 Welfare shall as soon as practicable carry out an investigation  
23 and study to determine—

24 “(1) economical means of recovering useful ma-

1 materials from solid waste, recommended uses of such ma-  
2 terials for national or international welfare, and the  
3 market impact of such recovery;

4 “(2) appropriate incentive programs (including tax  
5 incentives) to assist in solving the problems of solid  
6 waste disposal;

7 “(3) practicable changes in current production and  
8 packaging practices which would reduce the amount of  
9 solid waste; and

10 “(4) practicable methods of collection and con-  
11 tainerization which will encourage efficient utilization of  
12 facilities and contribute to more effective programs of  
13 reduction, reuse, or disposal of wastes.

14 The Secretary shall report the results of such investigation  
15 and study to the President and the Congress.

16 “(b) The Secretary is also authorized to carry out dem-  
17 onstration projects to test and demonstrate recovery tech-  
18 niques developed pursuant to subsection (a).

19 “(c) The authority contained in section 204 for the  
20 purpose of carrying out research and demonstration projects  
21 shall be applicable to the provisions of this section.”

22 SEC. 5. Section 207 of the Solid Waste Disposal Act, as  
23 redesignated by the previous section of this Act, is amended  
24 to read as follows:

1 "GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

2 "SEC. 207. (a) The Secretary may from time to time,  
3 upon such terms and conditions consistent with this section  
4 as he finds appropriate to carry out the purposes of this Act,  
5 make grants to State, interstate, municipal, and intermunicipal  
6 agencies, and organizations composed of public officials  
7 which are eligible for assistance under section 701 (g) of  
8 the Housing Act of 1954, of not to exceed  $66\frac{2}{3}$  per centum  
9 of the cost in the case of a single municipality, and not to  
10 exceed 75 per centum of the cost in the case of an area in-  
11 cluding more than one municipality, of (1) making surveys  
12 of solid waste disposal practices and problems within the  
13 jurisdictional areas of such agencies and (2) developing  
14 solid waste disposal plans as part of regional environmental  
15 protection systems for such areas, including planning for  
16 the reuse, as appropriate, of solid waste disposal areas and  
17 studies of the effect and relationship of solid waste disposal  
18 practices on areas adjacent to waste disposal sites, and not  
19 to exceed 50 per centum of the cost of overseeing the imple-  
20 mentation, including enforcement, and modification of such  
21 plans.

22 " (b) Grants pursuant to this section shall be made upon  
23 application therefor which—

24 " (1) designates or establishes a single agency as



1 the sole agency for carrying out the purposes of this  
2 section for the area involved;

3 “(2) indicates the manner in which provision will  
4 be made to assure full consideration of all aspects of  
5 planning essential to areawide planning for proper and  
6 effective solid waste disposal consistent with the pro-  
7 tection of the public health, including such factors as  
8 population growth, urban and metropolitan develop-  
9 ment, land use planning, water pollution control, air  
10 pollution control, and the feasibility of regional dis-  
11 posal programs;

12 “(3) sets forth plans for expenditure of such grant,  
13 which plans provide reasonable assurance of carrying  
14 out the purposes of this section;

15 “(4) provides for submission of a final report of the  
16 activities of the agency in carrying out the purposes of  
17 this section, and for the submission of such other reports,  
18 in such form and containing such information, as the  
19 Secretary may from time to time find necessary for car-  
20 rying out the purposes of this section and for keeping  
21 such records and affording such access thereto as he may  
22 find necessary to assure the correctness and verification  
23 of such reports; and

1           “(5) provides for such fiscal-control and fund-  
2       accounting procedures as may be necessary to assure  
3       proper disbursement of and accounting for funds paid to  
4       the agency under this section.

5       “(c) The Secretary shall make a grant under this sec-  
6       tion only if he finds that there is satisfactory assurance that  
7       the planning of solid waste disposal will be coordinated, so  
8       far as practicable, with, and not duplicative of, other related  
9       State, interstate, regional, and local planning activities,  
10      including those financed in part with funds pursuant to sec-  
11      tion 701 of the Housing Act of 1954.”

12      SEC. 6. The Solid Waste Disposal Act is further amended  
13      by redesignating the last four sections in such Act as sec-  
14      tions 211 through 214, respectively, and by inserting after  
15      section 207, as redesignated by this Act, the following new  
16      sections:

17                           “GRANTS FOR CONSTRUCTION

18      “SEC. 208. (a) The Secretary of Health, Education,  
19      and Welfare is authorized to make grants pursuant to this  
20      section to any State, municipality, or interstate or inter-  
21      municipal agency for the construction of solid waste disposal  
22      and resource recovery facilities, including completion and  
23      improvement of existing facilities.

24      “(b) Any such grant—

25                   “(1) shall be made for a project only if it is con-

1       sistent with any State or interstate plan for solid waste  
2       disposal, is included in a comprehensive plan for the  
3       area involved which is satisfactory to the Secretary  
4       for the purposes of this Act, and is consistent with  
5       any standards developed pursuant to section 209;

6       “(2) (A) shall be made in amounts not exceeding  
7       25 per centum of the estimated reasonable cost of the  
8       project as determined by the Secretary in the case of a  
9       project serving a single municipality and not exceeding  
10      50 per centum of such cost in the case of a project  
11      serving an area including more than one municipality,  
12      and only if the applicant is unable to obtain such  
13      amounts from other sources upon terms and conditions  
14      equally favorable;

15      “(B) Notwithstanding any other provision of this  
16      paragraph, the Secretary may increase the amount of  
17      a grant made under (A) by an additional 50 per centum  
18      of such grant for any project which utilizes new or  
19      improved techniques of demonstrated usefulness in re-  
20      ducing the environmental impact of solid waste disposal,  
21      recovery of resources, or recycling useful materials.

22      “(3) shall not be made until the applicant has  
23      made provision satisfactory to the Secretary for proper  
24      and efficient operation and maintenance of the project  
25      after completion;



1           “(4) shall not be made unless such project is con-  
2           sistent with the purposes of the Federal Water Pollution  
3           Control Act and the Clean Air Act; and

4           “(5) may be made subject to such conditions and  
5           requirements, in addition to those provided in this sec-  
6           tion, as the Secretary may require to properly carry  
7           out his functions pursuant to this Act.

8           “(c) In determining the desirability of projects and of  
9           approving Federal financial aid in connection therewith, con-  
10          sideration shall be given by the Secretary to the public  
11          benefits to be derived by the construction and the propriety  
12          of Federal aid in such construction, the relation of the ulti-  
13          mate cost of the project to the public interest and to the pub-  
14          lic necessity for the project, and the use by the applicant of  
15          comprehensive regional or metropolitan area planning.

16          “(d) Not more than 15 per centum of the total of funds  
17          appropriated for the purposes of this section in any fiscal year  
18          shall be granted for projects in any one State. In the case of  
19          a grant for a program in an area crossing State boundaries,  
20          the Secretary shall determine the portion of such grant which  
21          is chargeable to the percentage limitation under this subsec-  
22          tion for each State into which such area extends.

23                           “RECOMMENDED STANDARDS

24          “SEC. 209. (a) The Secretary of Health, Education,  
25          and Welfare shall, in cooperation with appropriate State,

1 interstate, and regional and local agencies, within eighteen  
2 months following the date of enactment of this section, rec-  
3 ommend to appropriate agencies standards for solid waste  
4 collection and disposal systems (including systems for private  
5 use) which are consistent with health, air, and water pollu-  
6 tion standards and can be adapted to applicable land use  
7 plans.

8 “(b) Further, the Secretary shall, as soon as practi-  
9 cable, recommend model codes, ordinances, and statutes  
10 which are designed to implement this section and the pur-  
11 poses of this Act.”

12 SEC. 6. (a) Subsection (a) of section 214 of the Solid  
13 Waste Disposal Act, as redesignated by this Act, is amended  
14 by striking out “not to exceed \$19,750,000 for the fiscal  
15 year ending June 30, 1970.” and inserting in lieu thereof  
16 the following: “not to exceed \$46,000,000 for the fiscal  
17 year ending June 30, 1970, not to exceed \$83,000,000 for  
18 the fiscal year ending June 30, 1971, not to exceed  
19 \$152,000,000 for the fiscal year ending June 30, 1972,  
20 not to exceed \$216,000,000 for the fiscal year ending  
21 June 30, 1973, and not to exceed \$236,000,000 for the  
22 fiscal year ending June 30, 1974. The sums so appropriated  
23 shall remain available until expended.”

24 (b) Subsection (b) of such section 214 is amended  
25 by striking out “not to exceed \$12,250,000 for the fiscal

1 year ending June 30, 1970.” and inserting in lieu thereof  
2 the following: “not to exceed \$15,000,000 for the fiscal  
3 year ending June 30, 1970, not to exceed \$17,500,000  
4 for the fiscal year ending June 30, 1971, not to exceed  
5 \$20,000,000 for the fiscal year ending June 30, 1972, not  
6 to exceed \$22,500,000 for the fiscal year ending June 30,  
7 1973, and not to exceed \$25,000,000 for the fiscal year  
8 ending June 30, 1974.”

9 SEC. 7. The amendments made by this Act shall be  
10 effective for fiscal years beginning after June 30, 1969.

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## A BILL

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To amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

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By Mr. MUSKIE, Mr. BAYH, Mr. BOGGS, Mr. COOPER, Mr. EAGLETON, Mr. METCALF, Mr. MONTOMY, Mr. RANDOLPH, Mr. SPONG, Mr. YARBOROUGH, and Mr. YOUNG of Ohio

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APRIL 29, 1969

Read twice and referred to the Committee on Public Works









servicemen who become totally disabled while on active duty would be eligible for Vietnam era veterans life insurance on a waiver of premium basis after their discharge. General fund appropriations would repay the Vietnam era veterans life insurance trust fund for the cost of both excess mortality and waiver of premiums which are due to service-related disability.

The new Vietnam era veterans life insurance program would generally be available to veterans whose active duty service included service during the Vietnam era, defined in law as beginning on August 5, 1964.

Mr. President, I ask unanimous consent that the text of the bill appear in the RECORD at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2003) to provide a special Government life insurance program for veterans of the Vietnam era, introduced by Mr. LONG, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2003

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.* That this Act may be cited as the "Vietnam Era Veterans' Life Insurance Readjustment Benefits Act".

SEC. 2. Chapter 19 of title 38, United States Code, is amended by redesignating subchapter IV as subchapter V; by renumbering sections 781 through 788 as section 791 through 798, respectively; and by inserting after subchapter III a new subchapter as follows:

**"SUBCHAPTER IV—VIETNAM ERA VETERANS' LIFE INSURANCE**

**"§ 781. Definitions**

"For the purpose of this subchapter—

"(1) The term 'insurance' means Vietnam Era Veterans' Life Insurance.

"(2) The term 'widow' or 'widower' means a person who was the lawful spouse of the insured at the maturity of the insurance.

"(3) The term 'child' means a legitimate child, an adopted child, and if designated as beneficiary by the insured, a stepchild or an illegitimate child.

"(4) The terms 'parent', 'father', and 'mother' means a father, mother, father through adoption, mother through adoption, persons who have stood in loco parentis to a member of the Armed Forces of the United States at any time before entry into active service for a period of not less than one year, and a step-parent, if designated as beneficiary by the insured.

"(5) The term 'eligible veteran' means a veteran who (A) served on active duty for a period of more than 180 days any part of which occurred during the Vietnam era and who was discharged or released therefrom under conditions other than dishonorable, or (B) was discharged or released from active duty, any part of which occurred during the Vietnam era, for a service-connected disability.

**"§ 782. Applications for Vietnam Era Veterans' Life Insurance**

"Any eligible veteran may, within one hundred and twenty days after his discharge from active military, naval, or air service and (1) upon written application to the Administrator, (2) payment of the required premium, and (3) without meeting any requirement of good health, be granted in-

surance by the United States against the death of such veteran occurring while such insurance is in force.

**"§ 783. Amount of insurance**

"Insurance shall be issued in any multiple of \$500 and the amount of insurance with respect to any eligible veteran shall be not less than \$1,000 or more than the maximum amount of insurance authorized under section 767 for persons insured under subchapter III of this chapter. No eligible veteran may carry a combined amount of Vietnam Era Veterans' Life Insurance, National Service Life Insurance, and United States Government Life Insurance in excess of such maximum amount authorized in such section 767.

**"§ 784. Plans of insurance**

"(a) Insurance under this subchapter may be issued on the following plans: modified life, ordinary life, twenty-payment life, thirty-payment life, twenty-year endowment, endowment at age sixty, and endowment at age sixty-five. All insurance issued under this subchapter shall be participating insurance.

"(b) Under such regulations as the Administrator may promulgate, a policy of insurance of any type issued under this subchapter may be converted or exchanged for any other type insurance issued under this subchapter. Whenever a policy of insurance issued under this subchapter is converted or exchanged for a policy issued on the modified life plan, the face value of the modified life policy shall be automatically reduced by one-half, without any reduction in premium, at the end of the day preceding the sixty-fifth birthday of the insured.

"(c) Any insured whose modified life insurance policy is in force by payment or waiver of premiums on the day before his sixty-fifth birthday may upon written application and payment of premiums made before such birthday be granted insurance under this subchapter on an ordinary life plan without physical examination in an amount of not less than \$1,000, in multiples of \$500, but not in excess of one-half of the face amount of the modified life insurance policy in force on the day before his sixty-fifth birthday. Insurance issued under this subsection shall be effective on the sixty-fifth birthday of the insured. The premium rate, cash, loan, paid-up, and extended values on the ordinary life insurance issued under this subsection shall be based on the same mortality tables and interest rates as the insurance issued under the modified life policy. Settlements on policies involving annuities on insurance issued under this subsection shall be based on the same mortality or annuity tables and interest rates as such settlements on the modified life policy. If the insured is totally disabled on the day before his sixty-fifth birthday and premiums on his modified life insurance policy are being waived, as provided in section 712 of this title, or he is entitled on that date to waiver, as provided in such section, he shall be automatically granted the maximum amount of insurance authorized under this subsection and premiums on such insurance shall be waived during the continuous total disability of the insured.

**"§ 785. Terms and conditions; premium rates**

"Insurance granted under this subchapter shall be issued upon the same terms and conditions as National Service Life Insurance, except (1) five-year level premium term insurance may not be issued; (2) the net premium rates shall be based on the 1958 Commissioners Standard Ordinary Basic Mortality Table, increased at the time of issue by such an amount as the Administrator determines to be necessary for sound actuarial operations; (3) an additional premium to cover administrative costs to the Government as determined by the Admin-

istrator at times of issue shall be charged for insurance issued under this subchapter and for any total disability income provision attached thereto; (4) all cash, loan, extended and paid-up insurance values shall be based on the 1958 Commissioners Standard Ordinary Basic Mortality Table; (5) all settlements on policies involving annuities shall be calculated on the basis of the Annuity Table for 1949; (6) all calculations in connection with insurance issued under this subsection shall be based on interest at the rate of 3¾ per centum per annum; (7) the insurance shall include such other changes in terms and conditions as the Administrator determines to be reasonable and practicable; and (8) all insurance issued under this subchapter shall be on a participating basis.

**"§ 786. Surrender of policy for cash value upon reentry into military service; insurance after separation; waiver of premiums**

"(a) Any person in the active military, naval, or air service, who has an insurance contract under this subchapter, may elect to surrender such contract for its cash value. In any such case the person, upon application in writing made within one hundred and twenty days after the expiration from active service, may be granted, without medical examination, insurance under this subchapter, or may reinstate such surrendered insurance upon payment of the required reserve and the premium for the current month.

"(b) Waiver of premiums under this subchapter shall not be denied in any case of issue of insurance under this subchapter or reinstatement of insurance under this section in which it is shown to the satisfaction of the Administrator that total disability of the applicant commenced prior to the date of his application.

**"§ 787. Vietnam Era Veterans' Life Insurance Fund**

"(a) There is created in the Treasury a permanent trust fund to be known as the Vietnam Era Veterans' Life Insurance Fund. All premiums paid on account of Vietnam Era Veterans' Life Insurance shall be deposited and covered into the Treasury to the credit of such fund, which, together with interest earned thereon, shall be available for the payment of liabilities under such insurance, including payment of dividends and refunds of unearned premiums. Payments from this fund shall be made upon and in accordance with awards by the Administrator.

"(b) The Administrator is authorized to set aside out of such fund such reserve amounts as may be required under accepted actuarial principles to meet all liabilities under such insurance; and the Secretary of the Treasury is authorized to invest and reinvest such fund, or any part thereof, in interest-bearing obligations of the United States or in obligations guaranteed as to principal and interest by the United States, and to sell such obligations for the purposes of such fund.

**"§ 788. Vietnam Era Veterans' Life Insurance Appropriation**

"There is authorized to be appropriated such sums as may be necessary to carry out the provisions of this subchapter, to be known as the Vietnam Era Veterans' Life Insurance Appropriation, for the payment of liabilities under Vietnam Era Veterans' Life Insurance. Payments from this appropriation shall be made upon and in accordance with awards by the Administrator.

**"§ 789. Applicable provisions**

"The provisions of section 706, 707, and the first sentence of section 708; the provisions of sections 709 through 711; the provisions of subsections (a), (b), and (c), and the last two sentences of subsection (d) of section 712; the provisions of sections 713 through 715; and the provisions of sections



717, 718, and 721, all of this title, shall be effective in the same manner and to the same extent with respect to Vietnam Era Veterans' Life Insurance issued under this subchapter as such provisions are applicable to National Service Life Insurance. References in section 721 of this title to the National Service Life Insurance Fund and to the National Service Life Insurance Appropriation shall be deemed for purposes of this subchapter to refer to the Vietnam Era Veterans' Life Insurance Fund and the Vietnam Era Veterans' Life Insurance Appropriation, respectively."

SEC. 3. Section 795 of title 38, United States Code, as redesignated by section 2 of this Act, is amended by striking out "section 784" and inserting in lieu thereof "section 794".

SEC. 4. The table of sections at the beginning of chapter 19 of title 38, United States Code, is amended by striking out the heading "Subchapter IV—General" and everything below such heading, and inserting in lieu thereof the following:

"SUBCHAPTER IV—VIETNAM ERA VETERANS' LIFE INSURANCE

"781. Definitions.

"782. Applications for Vietnam era veterans' life insurance.

"783. Amount of insurance.

"784. Plans of insurance.

"785. Terms and conditions; premium rates.

"786. Surrender of policy for cash value upon reentry into military service; insurance after separation; waiver of premiums.

"787. Vietnam era veterans' life insurance fund.

"788. Vietnam era veterans' life insurance appropriation.

"789. Applicable provisions."

SEC. 5. This Act shall become effective on the first day of the third calendar month following the month in which it is enacted. In any case in which an eligible veteran is discharged prior to such effective date, he shall, for purposes of section 782 of title 38, United States Code, be deemed to have been discharged on the effective date of this Act.

#### S. 2005—INTRODUCTION OF THE RESOURCE RECOVERY ACT OF 1969

Mr. MUSKIE. Mr. President, there was a time in this country when material of any kind was known to be scarce and expensive. String and wax drippings were saved, and bent nails were pounded straight.

In those days, most Americans were producers of food and goods for their own use. They lived in rural areas, and they understood what waste meant: It was simply the negligent use of scarce materials. "Waste not, want not," was more than a moral or religious precept. It was a law of American economic life.

But today, most of us live in urban areas. And most of us make our living from providing services rather than producing food or goods.

In our current view, materials are relatively cheap. We buy, we use, and we throw away.

I think that Austin C. Daley, chief of the division of air pollution control of the Rhode Island Department of Health, accurately summarized our national attitude during a hearing before the Senate Subcommittee on Air and Water Pollution at Boston on April 10. Mr. Daley remarked:

We are a nation of users, not consumers.

Most Americans would be astonished by how much we use but do not consume. The national solid wastes survey of the

Department of Health, Education, and Welfare reported that Americans soon will discard each year more than 30 million tons of paper, 4 million tons of plastics, 48 billion cans, and 26 billion bottles; more than 3.5 billion tons of solid wastes are being thrown away in this country every year. The annual cost of handling and disposing these wastes amounts to \$4.5 billion; and during the past 30 years, more than 20 billion tons of solid wastes have been deposited by mining, milling, and processing. These wastes have covered or damaged 7,000 square miles of land.

Mr. President, at the recent hearing held by our subcommittee in Boston, the Honorable John F. Collins, the former mayor of that city, gave us a keen insight into the problems we are facing in solid wastes disposal. He reminded us that there are basically two ways to manage solid wastes effectively.

The first is to attack the problem at its source—

Mayor Collins said—

by reducing the generation of solid wastes and changing their nature and composition.

The other method—

He added—

is to increase vastly the efficiency of application of current technology and managerial techniques.

We are a long way from effective management of solid wastes. Public commitment to the solution of this problem is inadequate. Local governments remain primarily responsible for collecting, processing, and disposing of solid wastes. The States still pay a very minor role.

The Federal Government did not even enter the field until 1965. Until that time there had been slight awareness of the problem, little innovation in our approaches, and little coordination of our efforts.

Congress passed the solid waste disposal act in 1965 and placed the Federal Government in direct contact with the growing problems of solid wastes for the first time. The act set up a 3-year program of grants for demonstrations of new technologies, for planning of State and local solid waste management programs, and for technical assistance to solid waste agencies. In 1968, the program was extended for an additional year.

These pilot programs have been successful, but they have been limited in their approach. If our efforts in this field are to offer any hope in light of the dimensions of the problem, the Congress must sustain the progress made thus far and expand our efforts in new directions.

We must begin to consider some way to attach the cost of solid waste disposal to the value of the products we use but do not consume. Incentives for effective solid wastes management should be related to the persistency of the product in the environment. For example, paper products which degrade rather quickly would have a low recovery value. But cans, bottles, and plastics would have increasingly higher recovery values.

So that we may move toward the goals I have described, I introduce for myself and Senators BAYH, BOGGS, COOPER,

EAGLETON, METCALF, MONTOYA, RANDOLPH, SPONG, YARBOROUGH, and YOUNG of Ohio, the Resource Recovery Act of 1969. This bill amends, strengthens, and extends for an additional 4 years the Solid Waste Disposal Act of 1965; it also contains two new provisions:

First, the Secretary of Health, Education, and Welfare is directed to conduct studies and report to the President and the Congress on economical means of recovering useful materials from solid wastes, recommended uses of such materials for national and international welfare, and the market of such recovery; recommended incentive programs—including tax incentives—to assist in solving the problems of solid waste disposal; and recommended changes in current production and packaging practices to reduce the amount of solid wastes.

The Secretary also would be authorized to carry out demonstration projects to test and demonstrate the recovery techniques developed by these studies.

Second, the Secretary would be authorized to make grants to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal facilities, with incentives for new and improved methods for dealing with solid wastes.

Mr. President, I ask that the text of the bill, a summary of its provisions, and the texts of the remarks of Mayor Collins and Mr. Daley at the Boston hearing on April 10 be printed in the RECORD at the conclusion of my statement.

I offer this legislation because I do not believe that America can continue indefinitely to burn, bury, or throw away the solid wastes generated by its people. There simply are not enough resources, enough land area, or enough clear air and clear water to permit the mere refinement of existing approaches to solid waste management.

If future generations of Americans are to inherit adequate, economical supplies of our natural resources, we must move now to find new ways of reusing solid wastes. If we are to preserve and enhance the quality of our environment, we must find ways to reduce the sheer quantities of solid wastes and to lessen the burden on our air and water resources.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill, summary of its provisions, and text of the remarks of Mayor Collins and Mr. Daley at the Boston hearing, will be printed in the RECORD.

The bill (S. 2005) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes, introduced by Mr. MUSKIE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

#### S. 2005

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Resource Recovery Act of 1969".



SEC. 2. Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

"(7) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law and having jurisdiction over the disposal of solid wastes."

SEC. 3. (a) Subsection (a) of section 204 of the Solid Waste Disposal Act is amended by striking out all beginning with "the development and application" through the end of such subsection and inserting in lieu thereof the following: "the reduction of the amount of such waste and unsalvageable waste materials, and the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering usable materials from solid waste (including devices and facilities therefor)."

(b) Such section 204 is further amended by striking out subsection (d).

SEC. 4. The Solid Waste Disposal Act is amended by redesignating sections 205 and 206 as sections 206 and 207, respectively, and by inserting after section 204 a new section as follows:

"SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF USEFUL MATERIALS

"SEC. 205. (a) The Secretary of Health, Education, and Welfare shall as soon as practicable carry out an investigation and study to determine—

"(1) economical means of recovering useful materials from solid waste, recommended uses of such materials for national or international welfare, and the market impact of such recovery;

"(2) appropriate incentive programs (including tax incentives) to assist in solving the problems of solid waste disposal; and

"(3) practicable changes in current production and packaging practices which would reduce the amount of solid waste.

"(4) practicable methods of collection and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse or disposal of wastes.

The Secretary shall report the results of such investigation and study to the President and the Congress.

"(b) The Secretary is also authorized to carry out demonstration projects to test and demonstrate recovery techniques developed pursuant to subsection (a).

"(c) The authority contained in section 204 for the purpose of carrying out research and demonstration projects shall be applicable to the provisions of this section."

SEC. 5. Section 207 of the Solid Waste Disposal Act, as redesignated by the previous section of this Act, is amended to read as follows:

"GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

"SEC. 207. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701 (g) of the Housing Act of 1954, of not to exceed 66⅔ per centum of the cost in the case of a single municipality, and not to exceed 75 per centum of the cost in the case of an area including more than one municipality, of (1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and (2) developing solid waste disposal plans as part of regional environmental protection systems for such areas, including planning for the reuse, as appropriate, of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites, and

not to exceed 50 per centum of the cost of overseeing the implementation, including enforcement, and modification of such plans.

"(b) Grants pursuant to this section shall be made upon application therefor which—

"(1) designates or establishes a single agency as the sole agency for carrying out the purposes of this section for the area involved;

"(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal programs;

"(3) sets forth plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

"(4) provides for submission of a final report of the activities of the agency in carrying out the purposes of this section, and for the submission of such other reports, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary to assure the correctness and verification of such reports; and

"(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

"(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with, and not duplicative of, other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954."

SEC. 6. The Solid Waste Disposal Act is further amended by redesignating the last four sections in such Act as sections 211 through 214, respectively, and by inserting after section 207, as redesignated by this Act, the following new sections:

"GRANTS FOR CONSTRUCTION

"SEC. 208. (a) The Secretary of Health, Education, and Welfare is authorized to make grants pursuant to this section to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal and resource recovery facilities, including completion and improvement of existing facilities.

"(b) Any such grant—

"(1) shall be made for a project only if it is consistent with any State or interstate plan for solid waste disposal, is included in a comprehensive plan for the area involved which is satisfactory to the Secretary for the purposes of this Act, and is consistent with any standards developed pursuant to section 209;

"(2) (A) shall be made in amounts not exceeding 25 per centum of the estimated reasonable cost of the project as determined by the Secretary in the case of a project serving a single municipality and not exceeding 50 per centum of such cost in the case of a project serving an area including more than one municipality, and only if the applicant is unable to obtain such amounts from other sources upon terms and conditions equally favorable;

"(B) Notwithstanding any other provision of this paragraph, the Secretary may increase the amount of a grant made under (A) by an additional 50 per centum of such grant for any project which utilizes new or improved techniques of demonstrated use-

fulness in reducing the environmental impact of solid waste disposal, recovery of resources, or recycling useful materials.

"(3) shall not be made until the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project after completion;

"(4) shall not be made unless such project is consistent with the purposes of the Federal Water Pollution Control Act and the Clean Air Act; and

"(5) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

"(c) In determining the desirability of projects and of approving Federal financial aid in connection therewith, consideration shall be given by the Secretary to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of the project to the public interest and to the public necessity for the project, and the use by the applicant of comprehensive regional or metropolitan area planning.

"(d) Not more than 15 per centum of the total of funds appropriated for the purposes of this section in any fiscal year shall be granted for projects in any one State. In the case of a loan for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant which is chargeable to the percentage limitation under this subsection for each State into which such area extends.

"RECOMMENDED STANDARDS

"SEC. 209. (a) The Secretary of Health, Education, and Welfare shall, in cooperation with appropriate State, interstate, and regional and local agencies, within eighteen months following the date of enactment of this section, recommend to appropriate agencies standards for solid waste collection and disposal systems (including systems for private use) which are consistent with health, air, and water pollution standards and can be adapted to applicable land use plans.

"(b) Further, the Secretary shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act."

SEC. 6. (a) Subsection (a) of section 214 of the Solid Waste Disposal Act, as redesignated by this Act, is amended by striking out "not to exceed \$19,750,000 for the fiscal year ending June 30, 1970." and inserting in lieu thereof the following: "not to exceed \$46,000,000 for the fiscal year ending June 30, 1970, not to exceed \$83,000,000 for the fiscal year ending June 30, 1971, not to exceed \$152,000,000 for the fiscal year ending June 30, 1972, not to exceed \$216,000,000 for the fiscal year ending June 30, 1973, and not to exceed \$236,000,000 for the fiscal year ending June 30, 1974. The sums so appropriated shall remain available until expended."

The material, presented by Mr. MUSKIE, follows:

RESOURCE RECOVERY ACT OF 1969 SUMMARY OF PROVISIONS

1. Definition.

2. Addition to existing research provision to emphasize development of new methods to reduce, re-use and recycle wastes.

3. Authorization of special study of (a) economical means resource recovery, (b) incentives to assist in solving solid waste problems, (c) changes in production and packaging techniques to reduce unused by-products of consumption, (d) methods of containerization and collection of wastes to facilitate disposal.

4. Authorizes grants and contracts to test and demonstrate methods developed pursuant to the special study.



5. Expands existing planning grant authority to provide grants for implementation, including enforcement, and modification of solid waste disposal plans.

6. Authorizes grants for construction of local and regional solid waste disposal and resource recovery facilities; authorizes 25% grants for single community facilities and 50% grants for regional programs with 50% increase in the amount of any construction grants for application of new or improved technology.

7. Authorizes the Secretary of Health Education and Welfare to recommend standards for solid waste disposal and collection systems and to develop model codes, ordinances and statutes for effective implementation of solid waste disposal programs.

8. Authorizes \$733 million for 5 years to carry out Department of Health, Education and Welfare activities under the Act and authorizes \$100 million to carry out Department of Interior activities.

STATEMENT OF AUSTIN C. DALEY, CHIEF OF THE DIVISION OF AIR POLLUTION CONTROL, RHODE ISLAND STATE DEPARTMENT OF HEALTH, BEFORE HEARING OF U.S. SENATE SUBCOMMITTEE ON AIR AND WATER POLLUTION, UNDER CHAIRMANSHIP OF SENATOR EDMUND S. MUSKIE, AT BOSTON CITY HALL COUNCIL CHAMBER, APRIL 10, 1969

My name is Austin C. Daley. I am the Chief of the Division of Air Pollution Control of the State of Rhode Island. Prior to my present position for seven years I was Director of the Air Pollution Control Department of the City of Providence, Rhode Island. I am a registered professional engineer in Rhode Island and a Diplomate in the American Academy of Environmental Engineers. I have been a member of the Air Pollution Control Association for 20 years.

First, I would like to express my appreciation to Senator Muskie and the Senate Subcommittee on Air and Water Pollution for the honor of receiving an invitation to testify here today.

The problems in solid waste disposal in Rhode Island are basically no different from any other Atlantic coastal state. They are growing rapidly and will soon reach nightmare proportions. At present the two most satisfactory methods of disposing of this waste are by means of the sanitary landfill and by the reduction of combustible waste by incineration. Unfortunately, there are very few municipal incinerators in this country that do not cause air pollution, and the residue from these incinerators also has to be deposited in a landfill. Lack of space, particularly in congested urban areas, makes it apparent that the landfill is not a long-range solution, and science will have to come up with a breakthrough in research as to a satisfactory method of disposal. Since private industry has not been successful in devising solutions, greater support for this research must be given to the Solid Wastes Program of the United States Public Health Service and to the universities which are working on solid waste disposal projects. It is imperative that we come up with answers before our urban society chokes in its own solid waste.

In our efforts to cope with this problem it is important that we recognize two basic facts: first, we can neither create nor destroy matter and, second, we are a nation of users, not consumers.

However, while waiting hopefully for the needed breakthrough in solid waste disposal, whether it be in recycling and re-use of material or a more efficient reduction process, we must meanwhile make a greater effort to improve conditions with the means we have at hand. One of the most serious solid waste disposal problems is created by the nation's largest industry, i.e. junked car bodies. Millions of them are being left on our streets and open spaces annually.

On October 9, 1968 the Rhode Island Division of Air Pollution Control sponsored a conference on the disposal of junked car bodies which was well attended by scrap metal dealers, including out-of-state people, a representative from the Institute of Scrap Iron and Steel in Washington and many state and federal health officials. We were told that this was the first conference of such scope ever held in this country. We offered several plans for cooperation among the scrap metal dealers. These schemes included a big nuisance-free incinerator financed on a cooperative venture by members of the industry. Such cooperative arrangements have been worked successfully by dairy farmers and fishing fleets for years. To our disappointment very little enthusiasm was manifested by those in attendance. Today many still continue to strip car bodies and dispose of components by clandestine open fires, usually burning after dark. For obvious reasons this arrangement is bad, particularly when it is realized that the junked car dealers, in picking up these abandoned cars, are performing a useful solid waste disposal function.

The automobile industry should be induced and encouraged to work out with the scrap metal dealers a coordinated, efficient and in-offensive system of processing these junked cars for steel reclamation. Similar steps should be taken to encourage the manufacturers of glass and plastic bottles and containers and aluminum cans to assist in devising means in the proper disposal of the solid waste they create. We are confident that this committee has heard these views expressed before, but we in Rhode Island want to add our voice to those in other states as to the urgency of the solid waste problem confronting this country.

Those of us engaged in fighting air and water pollution and tackling solid waste problems have found that our activities overlap, and we are in fact members of a team battling for environmental survival. Because of the interstate travel of pollution, the role of the federal government in combatting it has, of necessity, been increased, and we in Rhode Island appreciate both the financial and professional assistance we have received from federal agencies. However, we would like to point out, particularly in two great undertakings of the federal government, some activities creating serious solid waste problems that are not being handled properly.

The Department of Transportation pays for 90 percent of the interstate highway program costs, and this road construction frequently entails the removal of miles of trees and brush and hundreds of buildings in the path of a new highway. In Rhode Island the contractors clear this brush by burning it. Since they claim the brush is green, even in winter, they always lace it with old auto tires to sustain combustion. The resulting heavy pollution is visible for miles.

We have repeatedly protested against this pollution but our state law does not give us authority over this type of open burning. It is under the authority of the municipality where it takes place and, although nearby residents often complain, no city or town has ever made a move to stop it. We have suggested that a logging and wood chipping program be inaugurated. These chippers can handle logs up to eight inches in diameter and wood chips make excellent mulch. So far our suggestions have been fruitless and it is particularly frustrating, after the pavement is poured, to witness the arrival of truckloads of expensive wood chip mulch to be spread on the banks for highway beautification. We believe that to chip the brush and store it at the site would not only eliminate air pollution, but would result in considerable savings. We also object to the open burning of buildings that have to be removed from the path of the highways, but we will offer our proposed solution for this

problem in our discussion of urban renewal demolition.

Virtually all of Rhode Island's 39 municipalities have present or future plans to participate in urban renewal programs under the Department of Housing and Urban Development grants, which provide from two-thirds to three-quarters of total project cost. This will necessitate the razing of approximately 1,900 buildings in the next five years in our little state. Sometimes these buildings are burned on the site. Our colleagues in the Massachusetts Air Use Management Division can tell you about the evils of this practice. A few years ago scores of buildings were burned down for urban renewal clearance at this very spot where we are meeting today. The Boston urban renewal people were interested solely in creating this present attractive downtown complex. Vast quantities of poisons and dust entering the atmosphere were of no concern to them. This same attitude is frequently displayed by the people building our interstate highways.

Since these two activities, interstate highway construction and urban renewal, are so heavily financed by federal agencies, we feel that the Department of Transportation and HUD have a responsibility to make arrangements for decent waste disposal as part of their projects when they are in the planning stages. In a broad sense, these two government agencies are engaged in manufacturing and all manufacturing processes generate waste. We cannot ask the Rhode Island city of Central Falls, with 19,000 people in its 1.27 square mile area, to find room to dispose of the rubble and timber from a cluster of buildings demolished in the path of a highway or urban renewal. The same situation holds true for most of our congested cities.

We feel that when all the interstate highway programs and urban renewal projects are on the drawing boards, a Solid Waste Program expert from the U.S. Public Health Service should be included as an integral member of the planning team, and he should stay with each project until its completion. His duties would be to plan for the proper removal and disposal of all solid waste. In the highway projects he would arrange for the logging and chipping of brush and the carting of rubble and timber from demolished buildings to a proper disposal site. The disposal of demolition debris would be coordinated with urban renewal waste disposal.

For demolition debris disposal the solid waste disposal engineer would select sites for a defined region which could conceivably cover an area as large as Rhode Island and southeastern Massachusetts. All demolition debris would be trucked in suitable vehicles without spillage to the disposal site where adequate personnel and equipment would work the landfill. If the disposal sites have sufficient area, municipalities could deposit other solid wastes there on a fee basis.

This would cost money but comparatively little when computed as a proportionate cost of the entire project. And air pollution is costing us more than money today. It is a sad commentary on our affluent society when we permit these vast, polluting open fires to vitiate our atmosphere because of economics. Solid waste disposal is a vital function in any urbanized community, and it should not be neglected because it costs money. Soap, hot water, towels, toothpaste and brushes cost money but, because of this, should we discard personal hygiene? Since the activities of federal agencies create some of our biggest solid waste problems, these departments should set the pace in decent solid waste disposal. By doing so, they would be offering a splendid example for our states and municipalities to follow. The U.S. Public Health Service Solid Waste Program has the experts to provide the know-how as planning team members for all future highway and urban renewal projects. Let us put these people to work immediately.



## AN OVERVIEW OF THE SOLID WASTE MANAGEMENT PROBLEM

(Remarks by Hon. John F. Collins, visiting professor of urban affairs, Massachusetts Institute of Technology, Cambridge, Mass., before the Subcommittee on Air and Water Pollution, Committee on Public Works, U.S. Senate, Senator EDMUND S. MUSKIE, chairman, Boston, Mass., April 10, 1969)

## INTRODUCTION

The solid waste problem is becoming increasingly severe in our major metropolitan areas. The efficient management of solid wastes is important not only because of its high cost, but also because of its significant impact on other crucial problems of the urban environment. These other problems include the deteriorating quality of the visual environment in our central cities; the potential pollution of our air, water and land resources; the need for gainful employment and business opportunities for disadvantaged groups; the scarcity of land in urban areas; and the severely limited amount of municipal human and capital resources. Solid waste management must pay attention to these important urban problems if we are to avoid exacerbating the urban crisis still further.

The problem of solid waste management in urban areas is very much like other problems of urban environmental management: our advanced technology and growing economy have created ever greater volumes of wastes and ever greater problems of proper waste disposal, but at the same time our technology and managerial skills also offer the hope of solving these problems, if only we have the skill and the wisdom to utilize them properly.

One of the most neglected paths to solving our problems is more efficient management of existing technology. Too often, we have falsely laid our hopes on technological solutions to what are essentially managerial problems. As is the case in other urban problem areas, our institutions are not designed to enable our technical and managerial resources to serve us properly. The boundaries of the solid waste problem unfortunately do not coincide with the boundaries of our political jurisdictions.

Improved management, regional cooperation in solid wastes handling, and several new collection and disposal technologies offer the opportunity of cost savings on the order of twenty-five percent or more. In urban areas, municipal expenditures for solid waste collection and disposal are exceeded only by outlays for education and roads. We desperately need all of the scarce resources which we can free from an essentially non-productive activity such as waste management. We need also to begin to modify our generation of wastes so that we can more efficiently recycle and reuse our waste products, as part of a national policy of resource conservation.

Finally, we must pay particular attention to the effects of poor waste management on the quality of our urban environment. We are all well aware of the visual and aesthetic blight caused by improper and careless waste disposal methods. More subtle environmental interactions are the air pollution from incinerators and open dumps; the virtually unknown effects on marine ecology of ocean disposal of wastes, both solids and liquid; stream and river pollution caused by drainage from poorly designed and maintained landfills and dumps, and by agricultural runoff; and pollution of the groundwater, caused by leaching and infiltration of noxious substances from landfills and sumps. Clearly, if solid wastes are not properly treated and disposed of, they may undermine all of our other efforts to improve environmental quality.

## THE URBAN SYSTEM AND THE SOLID WASTE PROBLEM

In examining the solid waste problem in metropolitan areas, we are dealing with a large and complex system permeated by sub-

tle and far-reaching interactions between wastes, their management, other urban activities, and the natural and man-made environment. The methodology of systems analysis is particularly applicable to these types of problems and is used in this paper to provide an overview of urban solid waste management.

To make the analysis, we must consider, first, both the urban and the solid waste systems and their important interactions. We must then define the objectives of solid waste handling and disposal. With these in mind, available solutions can be examined and evaluated against the objectives, and the operable constraints on using particular solutions can be used to reduce the range of alternative solutions. More detailed studies can then pinpoint both the optimal waste management solution in a given urban area and the benefits to be derived from changes in the constraints.

Finally, problems of implementation of appropriate solutions must be considered, and an appropriate role for the apparatus of government and for public policy must be defined.

## THE NATURE OF THE PROBLEM

Man's economic activities provide a wide variety of goods and services and an almost equally large assortment of residues, in the form of solid, liquid and gaseous substances as well as heat and noise. In looking at the solid waste problem, we should remember that these residues can be transformed into one another by various processes, so that "solid" wastes may appear in liquid form, as in the case of sewage solids, and they may be transformed into other gaseous, solid, liquid, heat or noise residues. Thus, we must initially consider the entire spectrum of wastes in looking at the solid waste problem.

Today's urban solid waste problem is directly a function of our ever-increasing population, of continued high densities and crowding in metropolitan areas, and of the crazy pattern of urban and suburban sprawl which characterizes the American metropolis. The problem has been exacerbated by our affluence, resulting in a steadily increasing per capita use and production of waste materials, and by the "packaging revolution" to which this affluence has given rise and which it openly fosters and promotes. The packaging revolution and our increasingly complex industrial processes produce a variety of exotic substances which natural processes are scarcely designed to degrade and assimilate. In thinking about solid wastes in the urban environment, we would do well to remember that, sooner or later, everything that goes into a metropolitan area will either be degraded, reclaimed or appear again as a waste product or residue.

The magnitude of municipal wastes has been estimated at five pounds per person per day, or a billion pounds a day for the United States! Not included in this total are the solid wastes in our liquid and gaseous effluents, which amount to roughly three pounds daily per capita. Thus, municipal wastes total almost 200 million tons annually. To this total must be added the unknown hundreds of millions of tons of industrial wastes produced annually and the approximately 700 million tons of agricultural wastes generated yearly. Thus, we produce something over a billion tons of waste materials every year—it is a tribute to the assimilative capacity of the environment that our solid waste disposal problems are not much worse!

The nature of solid wastes is extremely varied. Municipal wastes consist basically of rubbish and garbage, and occasional household bulk wastes thrown in. Municipal wastes also include construction and demolition wastes which are often very difficult to dispose of. Industrial production wastes constitute an extremely heavy burden on the

assimilative capacity of the environment, especially such dangerous substances as nuclear wastes. At the present, they are normally disposed of privately or on-site, so that they are as yet not a heavy burden on municipal facilities. Nonetheless, they must be considered in any solid waste disposal analysis because they must be disposed of by someone. Agricultural wastes consist largely of feces and soiled straw and constitute an extremely heavy potential pollution load and are also a disease potential. As agricultural production comes more and more to resemble industrial processes, the solid wastes will become more concentrated and we will not be able to ignore them as cavalierly as we have to date. In addition, the cemetery functions occupy more space per unit weight than any subject yet discussed. Many of our major cities will run out of currently allocated cemetery space in the next decade or two, and we must certainly begin to come to grips with this problem.

We must begin to evaluate the effects of the pattern of urban activities on present and future waste loads. We need to improve our forecasting powers, so that future waste handling and disposal will be done as efficiently as possible. Wastes are increasing in volume at the rate of 4% annually; half of this is caused by population growth and half is attributable to the growth in per capita consumption which leads to waste products. We should remember the principle that steady economic growth produces an ever increasing annual volume of wastes. To forecast future waste loads we need to know more about waste generation. We will also need to engage in technological forecasting, which will have to be used in conjunction with the notion of regional mass or materials balances, in order to forecast accurately the future temporal and spatial pattern of waste generation.

## THE SOLID WASTE SYSTEM

In order to adequately understand and properly deal with the problems of solid wastes handling and disposal, it is important that we have an accurate picture of the entire solid waste system. The solid waste system begins with the input of energy and materials into the urban environment, which then metabolizes them and outputs them into the waste generation part of the system. The wastes are then collected by a fleet of vehicles, usually no more complicated than a compaction device in a closed truck, and transported to an intermediate or final processing and disposal site. The waste may be modified in the interim by volume reduction, as in incineration, or by a change of form, as when solid wastes are piped as a slurry. Storage may be provided at the site of generation or disposal, or at intermediate transfer stations. It should be noted that wastes may be recycled at any point in the system. Recycling usually consists of separation, processing, recovery and reuse, although this routine may be circumvented, as when agricultural wastes are returned directly to the land.

Our techniques for solid waste collection and disposal have not changed much in this century. Even though we are currently investigating a wide variety of new technologies, we still rely on hand pick-up and truck transport in the collection system. In disposal, we sometimes barge solid wastes to sea or salvage them, but for the most part we still rely on the venerable technologies of incineration and landfilling. Incineration accomplishes volume reduction and land disposal consists basically of putting back into the ground what we originally took out of it. After disposal, there is relatively little volume reduction over time for any but the most biodegradable wastes. It should be noted that the assimilative capacity of the land is much more manipulable than that of the water or air environments and therefore we can be more creative in our use of that capacity.



THE SOLID WASTE PROBLEM IN THE  
URBAN PERSPECTIVE

In the urban setting, the solid waste problem has basically three aspects: its impact on environmental quality, the large costs expended and scarce resources utilized, and the interactions with other important urban problems.

The lists of environmental quality effects includes pollution of the air, water and land resources and from the noise and heat residues. It should be noted that pollution should be distinguished from environmental impacts, since the former is defined into existence by the politically expressed preferences of the people, while the latter is intrinsic to the natural setting. Here the terms are used somewhat loosely and interchangeably. Air pollution may result from particles, gases and odors emanating from improperly maintained incinerators, uncollected solid wastes, and burning trash dumps. Water pollution can result from surface and subsurface drainage from waste piles and from improper disposal of agricultural and industrial wastes. Noise pollution may arise from collection vehicles and waste processing equipment. Incineration of wastes adds heat to the environment. These last two effects are extremely localized in extent. Finally, there is the visual and aesthetic pollution caused by uncollected trash and debris, rusting auto bodies, and the like.

The costs of solid waste disposal are large and on the increase. Municipal waste disposal currently costs about \$3.5 billion annually, or about \$17.50 per capita per year. This figure amounts to \$70 per year for a household of four persons. Looked at another way, about ten cents out of every municipal tax dollar goes to solid waste collection and disposal, making it the third largest municipal expenditure, behind education and highway construction. This fact alone justifies our concern with the topic. Some people have estimated that New York City could reduce its annual solid waste collection and disposal bill of \$140 million by 50% if the private capacity were available and willing; these cost savings could be used to supply \$500 worth of extra education to 140,000 disadvantaged children, or free school lunches to about 500,000 children. Clearly, we should do our utmost to eliminate any unnecessary solid waste disposal costs, through the adoption of cost-reducing new technologies and modern management methods. We should also be aware that 75%-85% of the total costs of disposal occur during the collection and transportation of wastes to the disposal site, and that most of these costs are labor costs. Basically, our concern here is that large amounts of scarce municipal resources are employed in what is essentially a non-productive activity.

One of the major impacts of the solid waste problem is on the other urban problem areas mentioned in the introduction. One of the most important impacts is on the environmental quality of inner-city living. There is an intense need for sanitation services in the central city, even outside the neighborhoods usually thought of as slums or ghettos. There are a number of reasons for this need. Waste loads are more dense, because the population density is higher. Garbage grinders and other forms of disposal are almost non-existent in older buildings, and thus garbage is a major inner-city problem. Older buildings often lack refuse storage facilities and are consequently overloaded. This implies that a higher frequency of collection in the inner city (than elsewhere in the city) is desirable. Further, the necessity of taking garbage and refuse cans out to curbside and of leaving them there opens the way to excessive spillage, as well as creating the ugliness of row upon row of trash cans, sitting in the street for days. Another inner-city solid waste problem is the heavy load of bulk wastes from a large number of

abandoned cars, from demolition activities, and from the high relocation rates of core city residents and businesses. Also, excessive traffic congestion blocks efficient street sanitation and garbage and trash collection. Uncollected wastes serve as a breeding ground for rodents and vermin, such as rats and flies, who are noted primarily for their nuisance value (largely biting) rather than for disease transmission or death. Finally, it is important to remember that the inner-city population makes use of the streets for outdoor living and for recreation, especially during the summertime, with the result that cleanliness (in the form of absence of solid wastes) is doubly important, because of its high visibility and because of the heightened sensitivity of the residents to garbage and refuse.

Another important urban interaction is with employment and business opportunities. Although minority group members no longer want to be regarded as garbage collectors, they remain drawn to the job by the relatively high pay and opportunities for the unskilled to gain training and gainful employment.

Perhaps we should create the concept of a "public works competence," so that the trash collector may be employed in other public works areas, such as sewage treatment plant operation, road building and maintenance, equipment repair and maintenance, and other similar activities. In some places, individual entrepreneurship (such as one-man businesses) is being fostered, where trash collectors are assigned routes, own their own trucks, and essentially hire themselves out to a disposal company on a commission basis. This arrangement leads to salaries in excess of \$12,000 for good routes in the Boston area, for example; is highly motivating; and may lead to reduced overall costs of disposal. The increased recovery and reuse of solid wastes would open the doors to new business and jobs in salvage activities. We should recognize, however, that new technologies and more efficient management may reduce the number of jobs available to unskilled and semi-skilled workers and, in this context, the idea of training them for other public works jobs makes eminent good sense, especially given the shortage of trained workers in other public works areas.

Another municipal problem is the scarcity of land in the major metropolitan areas in this country. Although land reclamation from solid waste disposal by sanitary landfills is an accomplished fact, such reclaimable land may not be available in urban areas, and, therefore, land disposal may use up extremely valuable land, thus making the real social costs of solid waste disposal much higher than the actual dollar costs. Further, improperly maintained disposal sites may depress surrounding property values. This land scarcity also means that the central city should actively pursue cooperative disposal activities with surrounding, suburban communities. Such cooperation, given the economies of scale existing in transportation and disposal, might easily result in lower total costs to all parties concerned. (Another problem of land use is the vast area required for cemeteries, roughly twenty-five square feet per person, or about one acre for every 1600 bodies. Most of our available cemetery space will be gone in a very few years and we can only guess at the clamor which will be raised unless we make more efficient use of our existing cemetery capacity.) We should be careful further to evaluate the efficacy of long-distance transport and disposal of wastes to such places as abandoned strip mines. There is substantial potential for groundwater pollution from such activities. This type of pollution potential is one which was not carefully enough evaluated prior to the inception of the City of Philadelphia-Penn Central Railroad rail-haul disposal program.

The solid waste problem also demands regional action, and an adequate solution to solid waste problems is hampered by the same jurisdictional and institutional problems which inhibit the efficient solution of other urban environmental management problems. Regional cooperation and planning can help to encompass all of the external effects which make solid waste disposal in metropolitan areas so difficult. Finally, there is a pressing need for the introduction and application of new technology and modern management techniques to relieve some of the burden of solid waste disposal from the increasingly empty municipal pocketbook.

SOLID WASTE MANAGEMENT OBJECTIVES

*Similarity to other environmental management problems*

One of the first things which should be realized is that solid waste management exhibits more similarities to other environmental waste management problems, such as air and water resources management, than it does differences. The waste materials are basically the same; only the receiving environment and possibly the state of the material are different. This implies that the set of management and policy tools and objectives which have been developed for, and applied to, air and water pollution control, can be modified to fit the needs of solid waste management. It also implies that our objectives will be just as hard to quantify and to apply consistently as in the other two cases mentioned. Finally, we find that improved managerial efficiency is much more the needed panacea than new technology, but that there are also a few very promising technological innovations on the horizon, which will substantially improve the efficiency of our managerial institutions.

*The dimensions of solid waste management*

The basic concerns of solid waste management are with the residuals from urban production processes, their efficient processing, and their harmless or even beneficial return to the environment. The range of management activities necessary to accomplish these concerns should be understood to include research and data collection; planning and systems analysis; financing; the design and construction of facilities; operation of collection, treatment and disposal systems and attendant facilities; the establishment and enforcement of quality standards to be maintained in operating the system; the regulation and monitoring of operation and management activities; the development of economic incentive systems, including assessing waste effluent fees and charges, and providing direct subsidies; and the development of appropriate procedures, regulations and legislation.

*The objectives of management*

In examining the proper objectives of solid wastes management, we must consider that we are trying either to maximize net social benefits from this activity, or to minimize the costs of disposal (including re-use) subject to appropriate constraints on environmental quality. We need also to consider the relationship between planning and the nature of management objectives.

If we desire to maximize the net social benefits from the residuals cycle, we are faced with several problems. The concept of social benefits is not a very operable one; for example, how do we measure the impact of inefficient solid wastes management on the other urban problem areas discussed above? Further, we would need to quantify a number of subtle and intangible benefits, which may not be possible. We can do somewhat better in quantifying costs, especially when comparing collection and disposal alternatives and in looking at the economics of separation and re-use. Also, we would need to include the generation of wastes in the management system to capture the external effects of generation. Finally, the bene-



fit maximization must be made subject to the constraints of available technology, and these technologic production functions may be hard to write.

Perhaps the only reasonably operable objective is to minimize the costs of maintaining a given level of environmental quality, while still handling the total amount of wastes generated and subject to the limitations of available technology and our institutions. This implies that we need to clearly specify the relevant constraints and that we will have to develop standards and criteria to define the quality objectives. Further, we need to consider all of the costs, including the impact of solid waste management on the other areas of the urban environment mentioned earlier. Also, we can use the constraints to estimate the benefits which they ascribe to environmental quality objectives, since the cost of increasing an operable constraint by one unit is equivalent to the marginal benefit of that quality objective, if we are trying to develop optimal policies. We can then examine the benefits ascribable to the various quality objectives and revise the set of constraints accordingly. Using the concept of minimizing the cost of solid waste handling and disposal, we can then develop sets of policies and procedures to allow us to approximate this goal.

Finally, we should be clear about the interplay between solid waste planning and the nature of our objectives. It should be recognized basically that planning is a creative process, and that planning for environmental management defines many of the objectives of management during the planning process itself. That this is indeed the case is clearly seen when we consider that the public's preferences for environmental quality objectives is rather ill-defined and subject often to a large degree of manipulation. Hence, planners must often guess the public's reaction to explicit or implicit environmental quality objectives during the planning process and this makes further complicates the task of producing good solutions.

#### AVAILABLE SOLUTIONS

There are basically two ways to effectively manage solid wastes. The first is to attack the problem at its source, by reducing the generation of solid wastes and changing their nature and composition. The other method is to vastly increase the efficiency of application of current technology and managerial techniques. Within the binding realms of political and economic feasibility, a major assault on the current structure of solid waste production may not be possible, and it may be more prudent to devote our efforts substantially to improving the efficiency of the existing solid waste management system.

#### Reduce waste generation

Reducing waste generation basically would consist of decreasing the amount of waste created and increasing the reuse and recycling of items we presently discard. It should be noted that unless re-use occurs before collection and transportation is done, we will be unable to substantially reduce the costs of solid waste management, since it will be recalled that 75%-85% of total disposal costs are attributable to these preliminary activities.

Clearly, the social, political and economic costs of significantly modifying our existing waste generation system would be enormous. Instead of prohibiting the manufacture of hard-to-dispose-of aluminum cans, for example, we might concentrate our efforts on developing aluminum-degrading bacteria.

Many exotic plastics could probably be modified to be biodegradable, as was done with detergents. One thing is clear, however: at the present time, most producers have no economic incentive to consider problems of disposal in designing their products and packages. The development of such incentives or of standards for degradability is a prerequisite to any comprehensive attack on the

waste generation problem. In considering incentives, we would do well to avoid depending heavily on the consumer, since his cost saving likely would be rather small and, in this affluent society perhaps not worth the effort. Incentive systems will have to combat this familiar tendency for the benefits of environmental management to be small to the individual (although large to the total community) and the costs to be concentrated on a single producer or industry. It might be possible, however, to levy a charge on the consumer proportional to the amount of waste produced (an effluent charge of a sort) and thus indirectly provide incentives to producers to make packaging more re-usable.

It is evident that we must begin to restructure our private and industrial incentive system, one which seems, rather perversely, to place a premium on generating large quantities of solid wastes and ones which are difficult to easily collect and dispose of. We should investigate the same types of industrial and private incentives which have been considered in the fight against water pollution, particularly incentives to waste-reducing, beneficial process change by producers. Incentives to scrap utilization should be extensively investigated since this may be a great deal cheaper in the long run than improving the technology and management of solid waste collection, handling and disposal.

As a first step in reducing the generation of wastes, we will need to carefully examine the factors influencing the production of solid wastes. We will need especially to monitor, not the aggregate amount of solid waste appearing at the town dump, for example, but the generation of residues by individual sources, over a period of time.

Finally, we will need to prepare for extensive recovery and re-use of wastes, if waste generation is to be substantially reduced. It should be noted that we can't hide the overall problem by putting residues into the waste water system, for example. Garbage grinders eventually transform the waste solids into sewage sludge, which should be considered a solid waste, and which is extremely expensive and difficult to dispose of. An example of this mentality, which tries to solve the problem by shifting the burden to another form of waste management, is a federally sponsored project to create a glass container which will dissolve in water upon being broken; this would eliminate the solid waste problem of glass bottle disposal, but it will not eliminate the solids in the glass, and these will appear as waste products in another part of the environment. It may be either beneficial or harmful to shift our residues from one part of the environment to the other, but common sense dictates that we make a careful study of the benefits and costs of so doing.

In examining problems of re-use, we must be conscious of the fact that separation is intimately tied to re-use and that economical re-use must precede any real attempts at separation. We should further be conscious of the fact that separation normally requires large on-site storage space, a commodity in short supply in our inner cities. Re-use should be looked at as providing factor inputs to industrial production processes. This indicates that we must be cognizant of re-use from the very beginning of the production process because the characteristics of the original product often clearly determine the extent to which recycling is possible and the degree of reprocessing necessary to make re-use possible. One way out of the separation problem is to concentrate efforts on separation of the aggregate waste material, after volume reduction, for example, to eliminate the costs and inefficiencies of expensive hand-sorting of refuse.

Clearly, if we fail to pay attention to reducing waste generation, we will be forced to rely solely on increasing the efficiency of

managerial and technological solutions to the solid waste management problem. We will fall increasingly behind our massive generation of wastes, cost reductions will likely be only temporary, and environmental quality will be unable to rise above its current low levels.

#### Increase waste management efficiency

Current solid waste management is incredibly inefficient. Opportunities for large cost savings lie in the rationalization of existing collection and disposal systems. The role of systems analysis and the mathematical optimization techniques of operations research in the optimal design of these systems has barely begun to be explored. There is also an important role in managerial efficiency for new technologies, which cut down on high labor costs and which increase production efficiency tremendously. One of the most promising of these is a new and improved compaction and shedding refuse collection truck, about to be demonstrated in New York City, which offers excellent possibilities for substantial cost reduction in solid waste management systems since it can handle almost all of the municipal bulk refuse which now requires expensive special pick-up. There are a number of outstanding foreign technologies which await introduction into this country. If we are really interested in increasing the efficiency of solid waste disposal, we should not discriminate against these technologies on the sole basis of foreign origin. Finally, there is a pressing need for more research on the collection and transportation of solid wastes, on new disposal techniques and technologies, and on the environmental effects, both short-term and long-term, of our current disposal methods.

#### CONSTRAINTS

In considering the solid waste management problem, it is extremely important that we clearly understand the nature and scope of the constraints on our ability to efficiently manage our solid wastes. Constraints help to define and limit the range of acceptable solutions to a given problem, they limit the maximum obtainable efficiency of the system, and they indicate the necessary directions that changes for the better must take. Changing the constraints on the operation of municipal public services is the only way to achieve breakthroughs to optimal long-run solutions. We should recognize especially that solid wastes and other residues result from a complex system of social and economic processes, and that the operation of these processes itself constrains our ability to deal adequately with the waste management problem.

Constraints may be thought of as falling into four basic categories: jurisdictional and legal; economic and financial; social and cultural; physical and technological. The definitions are fairly obvious. Jurisdictional and legal constraints form part of the old problem that the efficient problem-solving dimensions do not correspond to the boundaries imposed by the institutional system. There are large economies of scale possible in the operation of regional solid waste disposal systems and we must extend our efforts to promote regional cooperation, since this kind of institutional constraint is one we can modify with federal policy. Another reason for regional wastes management is the need to bring adequately under the management system the external effects of solid waste disposal, so that these will be adequately accounted for in future planning efforts.

Economic constraints include our current system of industrial incentives, which hinders rather than promotes our attempts to attack the generation of solid wastes. We must realize that, for reasons beneficial to other aspects of our modified free-enterprise economy, industry is basically in an adversary position *vis-a-vis* the solid waste prob-



lem and we should structure our incentive systems accordingly. Another major constraint is the financial dilemma of most of our urban areas, which inhibits major capital investments in new waste management technologies and processes, and favors paying initially lower operating expenses for existing inefficient equipment and products, even though this may be a more expensive longrun solution.

One of the hardest constraints to deal with is that which may be termed social or cultural. As we have become more affluent, we have become more wasteful, and have demanded more and more to be relieved of the burden of salvage and re-use of materials. A typical soft-drink bottle used to make 25 trips between producer and consumer before being discarded. Probably no one here now bothers to return a bottle even once. We might think differently if the deposit was a dollar instead of three cents, but such an incentive might prove difficult indeed to establish. Basically, we are not a very future-oriented society, and it may be nearly impossible to change this attitude to one which would be willing to sacrifice a little convenience to help resolve a tremendous problem such as solid wastes. We will not get very far in our attack on this problem until we come to grips with the difficulties inherent in altering people's deep-seated consumption and disposal habits. Finally, we must be aware of the physical and technological constraints on the solutions we propose. A fundamental physical constraint is conservation of matter: we can shove wastes all around our environment, manipulate them, decrease their volume, and change their state, but we cannot ultimately destroy most of our waste residues. The solid waste problem will not disappear through any technological miracles. Lastly, we must be aware more exactly of the technological constraints imposed by currently available processes. Here there is much room for improvement.

It is a surprising and distressing fact that most solid waste managers are not really aware of the range of technological opportunities available to them and are not really trained or motivated to keep up with our rapidly advancing technology. Perhaps a major effort in explaining the concepts, benefits and possibilities of modern technology and management would help to bridge this technical skills gap and would substantially increase the efficiency of existing systems.

#### CHOOSING AMONG ALTERNATIVE SOLUTIONS

When we are finally ready to make a decision as to which technological and managerial alternatives we will favor for solid waste management, it is important that we consciously and conscientiously bring economics to bear on the analysis of alternative solutions. The need for careful economic analysis is evident from the large expenditures involved and from consideration of the impacts of solid waste management on the efficiency of other aspects of urban management. Economic analysis will aid us in achieving a high degree of efficiency in the allocation of our scarce urban human and capital resources. In this regard, the use of cost-benefit analysis is imperative in any comparison of the relative merits of alternative solutions. But we must be careful to recognize that there are many benefits and costs which cannot be quantified, and we must be aware of the consequent danger of ignoring them in benefit-cost calculations. We may find, for example, that two-shift refuse collection is an efficient procedure in cities, but it is clear that the dollar costs for trucks and labor in no way measure, for example, the social cost of the noise from the type of trucks presently used in cities. One way to get around the problem of non-quantifiable benefits and costs is to set standards and constraints to ensure that intangible values are adequately represented in the benefit-cost calculations.

Clearly, the range of economic considerations must include not only dollar costs, but also the external impact costs such as the effect of solid wastes management on urban land uses and land values, on problems of air pollution control and sewage sludge disposal, and on the quality of the environment in our inner cities. There are certainly large social costs associated with further exacerbating core-city tensions by maintaining environmental blight, and these costs must be kept in mind by our solid-waste managers. Economic considerations, on the national level, must extend to questions of the economics of waste separation, processing, recycling and re-use; and the necessary economic incentives to industry to reduce the magnitude and nature of industrial and municipal solid wastes. These incentives might take the form of direct subsidies, effluent charges, tax incentives or direct regulations and standards. The establishment of efficient incentive schemes deserves careful study and consideration and early implementation. Finally, we must conduct our other urban management activities with a careful eye toward their impact on solid waste management. These considerations include sewage sludge disposal, street congestion, urban sprawl, land scarcity, the proliferation of governmental jurisdictions, urban renewal and the deterioration of the central city.

#### PUBLIC POLICY CONSIDERATIONS

The need for regional cooperation in solid waste management, the requirement for more efficient management of the solid waste effort, the inadequate financial capability of many communities, and the development of an appropriate incentive structure for waste management present policy makers with a set of tasks which require legislation.

Because of the substantial economies of scale associated with regional waste management, because of the need for technologic know-how to develop materials more suitable for disposal and re-use, and because of the benefits derived from considering the solid wastes problem as a total system in terms of the production of materials, the collection of wastes and the effects of alternative disposal methods on the environment, new legislation at the federal level is required. The federal government should explore the feasibility of incentive plans to encourage producers of packaging materials and wastes to deal with this problem at its source, if studies show this to be efficient.

In making recommendations for public policy at the national level, to increase the efficiency of solid-waste management in this country, we have basically two alternatives: we can focus our attack on the generation of wastes, that is, we can attack the problem at its source; or we can focus on the collection and disposal aspects of the problem; that is, we assume that the quality and the nature of the solid waste are given to us as fixed amounts and then it is up to us to dispose of them in the most efficient manner possible. If we attempt to attack the problem at its source, that is, if we focus on the generation of wastes, then one recommendation that immediately follows is that we need to know more about the factors influencing waste generation. We need to know this information to aid in our future planning efforts and to aid in developing incentives to industry to reduce the generation of waste. We also need to understand waste generation because of the importance of this understanding in the question of promoting re-use of waste. The initial product must be designed so that it can be removed from the waste cycle, reprocessed and reintroduced as a factor in the production process. Only if re-use is considered in the initial stages of production can we ever insure that we will get efficient and adequate recovery and recycling of our waste products.

If, on the other hand, we focus on the management of the great quantities of solid

wastes, over which we assume we have no control, then we must be sure that we attack this problem at crucial junctures. In particular, we must be careful not to focus strictly on disposal of solid wastes, which only constitutes 20% to 25% of the total cost of the entire solid-waste management system, but rather we must instead focus special attention of collection systems. If the focus is on collection systems, then we will need to bring to bear on the problem all of our managerial and technical resources. In particular, we will need to use systems analysis and operations research in a much greater way than at present to rationalize the management of our solid wastes. Further, we will need to introduce cost-saving and efficiency-promoting new technology into our management efforts and into our efforts to re-use waste products. In particular, we must be careful to assure ourselves of an adequate supply of new technology, and in particular, we must be careful that we take full advantage of the opportunities afforded by major advances in other countries in various technological areas. We must make sure that we provide all of the necessary technical and financial assistance to local communities to take advantage of new technology and managerial methods. This is certainly a top-priority item for consideration at the federal level. Further, we must promote and encourage and extend our research and development efforts to encompass all promising new technologies and all available management methods. But we must be particularly careful to focus our research and development efforts on those aspects of the solid-waste system which promise the greatest reduction of cost and the greatest increase in efficiency. This is not being done consciously at present. One change which is drastically needed is to remove our focus from disposal methods and concentrate on understanding the factors influencing the generation of waste, and further focus major attention on improving the efficiency of existing collection and transportation systems. Finally, it should be federal policy to foster regional cooperation in solid waste management through granting of planning financial aid only to those organizations which represent groups of communities acting together for the common good. An evaluation component should also be inserted into federal grant programs to ensure this result.

Mr. SPONG. Mr. President, the Nation's urban areas are rapidly running out of places to dispose of huge amounts of solid wastes that are the unwanted residue of our mounting production and consumption.

The population of the Nation is so distributed that no convenient dumping grounds, streams, or air masses exist which are not also the natural resources of others.

The bill being introduced today by the distinguished Senator from Maine seeks to alleviate the problem of solid waste disposal by calling for a study of possible means of recovering and reusing materials that are thrown away. In addition, it provides for an expanded grant program to interstate, State, and local agencies for developing solid waste disposal plans, including plans for the reuse of solid waste disposal areas.

I join in sponsoring this measure with the realization that man is pouring wastes into the environment at a rate faster than nature can reprocess them. The evidence that we have exceeded nature's assimilative capacity shows up in the form of polluted rivers, algae-covered lakes and smog-fouled atmosphere.



Today's mass production techniques have led to rapid, even planned obsolescence. Component parts of many of our manufactured goods are no longer repaired when they fail to work. Instead, they are discarded and replaced with new units. Our technology has developed such new disposal packaging methods as plastic containers which are impervious to weather or bacterial destruction, rust-proof aluminum cans, and countless bottles. Many of the latter are no longer returnable for deposit refunds, but are thrown out.

The development of kitchen garbage disposal units has not stemmed the tide. The immensity of the solid waste problem is demonstrated by a recent estimate that we generate 800 million pounds of garbage, rubbish, street refuse, and industrial and agricultural wastes every day. Moreover, the volume of waste is increasing at an estimated annual rate of 4 percent.

Because of the rapid growth in the Nation's urban areas, and the lack of disposal space, it is clear that the problem of waste disposal soon will be on the same scale as the problems of human transportation and food and water supply.

Existing waste disposal programs too often involve methods that are unhealthy and unsightly. Sanitary landfills and incineration have many obvious shortcomings.

The time has come to develop new and improved methods of solid waste disposal, and the legislation being introduced today would authorize the research necessary to achieve that purpose.

Mr. President, the extent of the problem and the steps being taken to alleviate it is discussed in an article entitled "Engulfed in Garbage," by Mr. Thomas Fleming. The article was published in the April 20, 1969, issue of *This Week* magazine, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### ENGULFED IN GARBAGE

(By Thomas Fleming)

(NOTE.—Thomas Fleming has written many books. His most recent is "West Point, the Men and Times of the U.S. Military Academy," published by William Morrow & Co.)

"You people have been spoiled for 50 years. Rain or shine or earthquake, your little pail of garbage has been picked off your doorstep every Tuesday or Thursday. Until recently, you didn't give a damn what happened to it after that."

Are you listening? That is the voice of a modern garbage man. His name is Leonard Stefanelli and he was speaking to a group of fellow San Franciscans. But he might well have been speaking to the entire nation, warning Americans that they are in danger of being engulfed in garbage.

His is by no means the only ominous voice. Dr. Philip R. Lee, Assistant Secretary of Health, Education, and Welfare, says, "We have been running to keep pace with the growth of the . . . problem, and we are losing the race." Professor Ross E. McKinney of the University of Kansas warns, "We have already allowed the problem to exceed the solution."

There are some prophets around the country predicting that by the year 2000, garbage collection may dwarf civil rights, national

defense, and crime in the streets as our No. 1 political problem.

It is by no means a fanciful prediction. Recent reports indicate that Americans are already spending \$4,500,000,000 a year for refuse collection and disposal services—a sum that is exceeded only by expenditures for schools and roads.

Why is garbage becoming so big and costly a problem? Approximately 500,000 tons of residential, commercial and industrial wastes, or 5.3 pounds per person, are generated in America each day. In an average year, a family of six creates 3,860 pounds of trouble for the garbage man. Of this, 990 pounds is genuine garbage—leftover food scraps and the like, what the experts call "putrescent matter"—and 2,870 pounds is rubbish.

This last statistic is the real explanation for the garbage crisis. In earlier decades, Americans carried most of their food home in paper bags. Practically everything today's supermarket shopper buys is enclosed in plastic or cardboard or glass containers.

It doesn't really matter where the junk comes from. The problem is how to collect it efficiently and what to do with it once it's collected. To the citizen, collection would seem the most important facet of the problem. Garbage strikes have threatened a half dozen American cities with disease and social chaos in the last year or so.

Sanitation experts are far more worried, however, about what to do with the stuff once it is collected. They note that 85 per cent of the money we are spending on garbage is currently going into collection (yet a startling 12 per cent of the residential population, receives no formalized collection service) and only 15 per cent of our cash is being spent on disposal.

Many people are under the impression that most garbage is burned in incinerators. Actually, there are only about 300 incinerators in the entire nation, most of them in large cities. Most of our garbage goes to what is familiarly known as the *dump*. There are 12,000 of these *land disposal sites*, as the experts call them, and a recent report of the Public Health Service declared that 94 per cent of them were "unacceptable and represent disease potential, threat of pollution, and land blight."

Nor should incinerator owners start congratulating themselves. The same government experts condemn 75 per cent of these as inadequate, either because they fail to burn enough of the garbage shoved into them or because they pour unhealthy amounts into the atmosphere as air pollution.

Aside from the disgraceful condition of most dumps, there is the blunt fact that we are running out of room for them. New York will run out of space altogether in four to eight years. Philadelphia has been trying to burn 90 per cent of its wastes for well over a decade. San Francisco has had a running battle with surrounding communities over where to put refuse.

All this adds up to what might be called, The Lament of the Garbage Man. "People make jokes about garbage men," Eugene L. Pollock, editor and publisher of *Solid Wastes Management*, a national magazine for the sanitation industry, says. "They tend to think of them as people of little standing in the community. They don't seem to realize they are talking about the fifth largest service industry in the country. Nor do they seem to realize that a lot of these so-called garbage men are executives running multimillion-dollar operations, often using computers." He also notes several major schools grant Ph.D.s in refuse disposal techniques.

Leonard Stefanelli is typical of the new breed of garbage executive. He is president of the Sunset Scavenger Co., one of the two private contracting firms which handle refuse collection and disposal in San Francisco.

A good-looking, well-dressed 33-year-old, Stefanelli told a gathering of San Franciscans last year, "You people think of us garbage men as donkeys with strong backs and weak minds. But the fact is that we have spent tremendous amounts of money on modern research and development to try and reduce the bulk of waste as much as possible before disposing of it."

Most people know that garbage men feel underpaid. But few realize a more significant item in the garbage man's tale of woe. It is very dangerous work. The National Safety Council recently reported that their accident rate is highest in the country.

A great deal, however, is being done. A number of ingenious solutions are being tested or toyed with by scientists and sanitation experts around the country. One of the problems of the open dump is being solved by sanitary landfill—one of the best and cheapest methods of disposal now available. Usually it involves shredding, milling and compacting the refuse into an indistinguishable mass, which is dumped in trenches scooped out by bulldozers. It is then covered with seven or eight feet of earth, and natural decomposition over the next 25 years converts it into normal soil.

Landfill not only eliminates the old smoking, rat infested dump, it can also create new recreational sites for land-short cities and suburbs. Virginia Beach, Va., is building an outdoor theater on a 15-year-old landfill site. The Borough of Etobicoke in metropolitan Toronto has built a ski hill out of what they call "selected sanitary waste"—1,500,000 cubic yards of old refrigerators, stoves, bed springs, lumber, chemicals—everything but food wastes. The twin-peaked hill is expected to be 130 feet high when completed. Other communities have constructed golf courses, baseball and football fields and even swimming pools on landfill sites.

Around our larger cities, land is simply too scarce and too valuable to put garbage in it. San Francisco and Philadelphia are about to begin experiments in shipping their garbage 200 to 300 miles away by railroad.

Philadelphia has hired a private firm to lug the stuff out to the central part of the state, and dump it into abandoned strip mines. The cost will be \$5.39 a ton, a big saving over the current \$7.50 a ton for incineration. Rhode Island University, under a grant from the National Center for Urban and Industrial Affairs, is studying the possibility of burning garbage at sea in huge incinerator ships and tossing the residue overboard at selected dump sites.

The inventive Japanese have come up with another idea, a giant compacter said to reduce trash to 10 percent of its original volume. The Japanese at first claimed that the resulting hard blocks of garbage could be used for construction work. But experts quickly demolished this idea. As garbage decays, it emits methane gas, and if you sealed these bricks inside a concrete building, within a year or so there could be an explosion.

The fondest dream of the modern sanitation expert is making garbage profitable. In the old days farmers paid for the privilege of collecting and removing garbage from Philadelphia. Today collectors get up to \$8.33 a ton for this work—plus the refuse itself—and the price is considered to be a real bargain. Paper was once salvaged for the production of cardboard. Now it is stored until a private collector comes and picks it up—at a charge of \$100 a month for this service. Some people have experimented with burning garbage to produce steam which, in turn, would run electric turbines. The Town of Hempstead on Long Island has an incinerator that drives a 2,500-kilowatt electric power plant and a 420,000-gallon-a-day water desalting plant. But neither here, nor anywhere else, has anyone made such operations profitable.



The brightest hope in this department has been composting. For over 25 years, various countries—Israel, Holland, Scotland, and the United States—have experimented with pulverizing and reducing the garbage to manageable brick form and selling the stuff to farmers to enrich the soil. A few years ago, a *Fortune Magazine* story grandiosely announced the opening of a composting plant in St. Petersburg, Fla., operated by the International Disposal Corp. The \$1,500,000 plant lasted from July, 1966 until the early months of 1968, when it was closed as a public nuisance because of an odor problem. But after remodeling it is expected to start again soon.

The Florida plant joined a long line of composting plants, stretching from Scarsdale, N.Y., through McKeesport, Pa., Mobile, Ala., Norman, Okla., Phoenix, Ariz., and Houston, Tex.—most of which are already closed or closed part of the year. The reason lies in that earlier statistic about the preponderance of rubbish in today's garbage. Plastic bottles, aluminum cans, paper and glass are not very soil enriching.

Yet the composting idea has value. "These commodities we are throwing away today may someday be in seriously short supply," says Dr. Walter R. Hibbard, former director of the Bureau of Mines. Dr. Athelstan Spilhaus, president of the Franklin Institute in Philadelphia, argues that we ought to "bank" potentially valuable wastes until we know how to get at their ingredients economically.

Still another solution would be the creation of self-destructive bottles and cans. Jerome Gould, the noted industrial designer, is working on such a project, as is Samuel F. Hulbert of Clemson University in South Carolina. Hulbert says his bottle will have the same basic elements as glass but when it breaks it will become soft and greasy and melt away.

Back on the practical, everyday level, some people are trying to take the minor headaches out of the garbage problem. Some companies have recently perfected a garbage can with a bottom made of rubber cement, that thuds instead of rattles in the early dawn. New Haven, Conn., is experimenting with the use of kitchen sink grinders in a high-rise apartment complex. The reduced garbage is piped to a central building for disposal.

All these changes, experiments and improvements point toward one conclusion. The garbage crisis can and must be solved.

The alternative may well be the policy currently being pursued in the state of Zulia, Venezuela. The government had to declare martial law and send in National Guard troops to suppress rioting stemming from a strike of sanitation men which left four dead and dozens injured. To prevent a repetition of the upheaval, authorities hastily passed several laws which clearly demonstrate the dangers of uncollected garbage in a free society. One of the laws stipulates that no couple will be allowed to marry unless they both produce certificates proving they are up-to-date in their refuse collection payments.

#### S. 2007—INTRODUCTION OF A BILL TO ELIMINATE VAST AMOUNT OF GOVERNMENT EQUIPMENT IN HANDS OF PRIVATE CONTRACTORS

Mr. PROXMIER. Mr. President, well over a year ago the Economy in Government Subcommittee of the Joint Economic Committee learned that nearly \$15 billion worth of federally owned production equipment, materials, tooling, and test equipment was being held and used by private contractors. Although the original purpose of this practice—to permit businesses to use equipment they

could not afford to buy for one-shot Federal contracts with a high defense priority—was praiseworthy, it was obvious that the program had gotten out of control.

The General Accounting Office, in a landmark investigation performed at my request, found that several contractors among the random sample of 23 defense contractors it studied were using Government-owned equipment for the performance of their own commercial production work without adequately reimbursing the Government and, in some instances, without the required approval of the Office of Emergency Planning—OEP.

This practice gave such contractors an unfair competitive advantage over their industrial compatriots in the marketplace who had not been similarly blessed by taxpayer largesse.

One large defense contractor, the GAO found, was given an 8,000-ton mechanical forge press costing \$1.4 million in late 1961 because the company's 4,000-ton presses, also Government-owned were not considered efficient enough to handle all of the orders the Government had placed with the company for jet engine midspan blades. Yet, during the following 3-year period, the 8,000-ton press was used 78 percent of actual production time for commercial work without advance OEP approval while the majority of Government procurement of midspan blades was processed on the less efficient 4,000-ton presses.

Although rental was charged for private use of such equipment, the ways of computing rentals were multitudinous and did not reflect the interests of the taxpayer and his Government. Rentals most often were far less than they should be.

It was quite evident, also, that many giant corporations, such as General Electric, General Dynamics, Douglas, and Lockheed, some of which do well over half of their business with the Federal Government, could well afford to purchase this equipment outright—particularly in view of the fact that follow-on contracts from the Government enabled them to use much of this equipment for many, many years.

Consequently, last year I introduced a bill to bring about far-reaching improvements in the Government's management of privately held equipment. Although the bill resulted from meetings with the Defense Department and the GAO and has the general approval of those agencies, it did not pass the Congress. Accordingly, I am once again introducing my proposal to limit sharply the amount of federally owned production equipment in private hands.

In doing so, I am aware that the Department of Defense has taken administrative steps to improve the management of this production equipment. On June 10 of last year, 3 months and 2 days after I introduced my bill, the Department issued new guidelines which made a number of significant improvements. For example, the new regulations: first, required the contractor to state, in writing, his unwillingness or financial inability to buy the equipment with his own

money before the Defense Department could provide federally owned equipment; second, stopped the practice of supplying items of equipment costing less than \$1,000; third, increased rental rates on equipment less than 3 years old used on nondefense work; and, fourth, tightened up prior approval requirements for the use of production equipment on non-defense work.

However, the measure I reintroduce today would codify a number of requirements that are essential if we are to avoid further waste in the handling of this equipment. Furthermore, it would apply to equipment outside the purview of the Defense Department.

My bill provides the following:

First, it would prohibit outright the future placing of federally owned production equipment in the hands of private contractors unless, first, the production equipment were to be set aside for emergencies as part of a duly authorized mobilization plan; second, the defense contractor was a small business and was so recognized by the Small Business Administration; or third the head of the appropriate agency made a determination in writing that the contractor's needs are urgent and cannot be met in any other way or that the provision of equipment is in the public interest.

Second, it calls for a uniform rental system, contractor maintenance of adequate inventory records, and the prompt return of production equipment to the Government when no longer needed.

Third, it would permit the sale of equipment and special tooling to contractors already holding the equipment at not less than a fair and reasonable price on a negotiated sale basis. Such sales could be made subject to the proviso that the property will be available on a priority basis for the performance of Federal contracts where necessary.

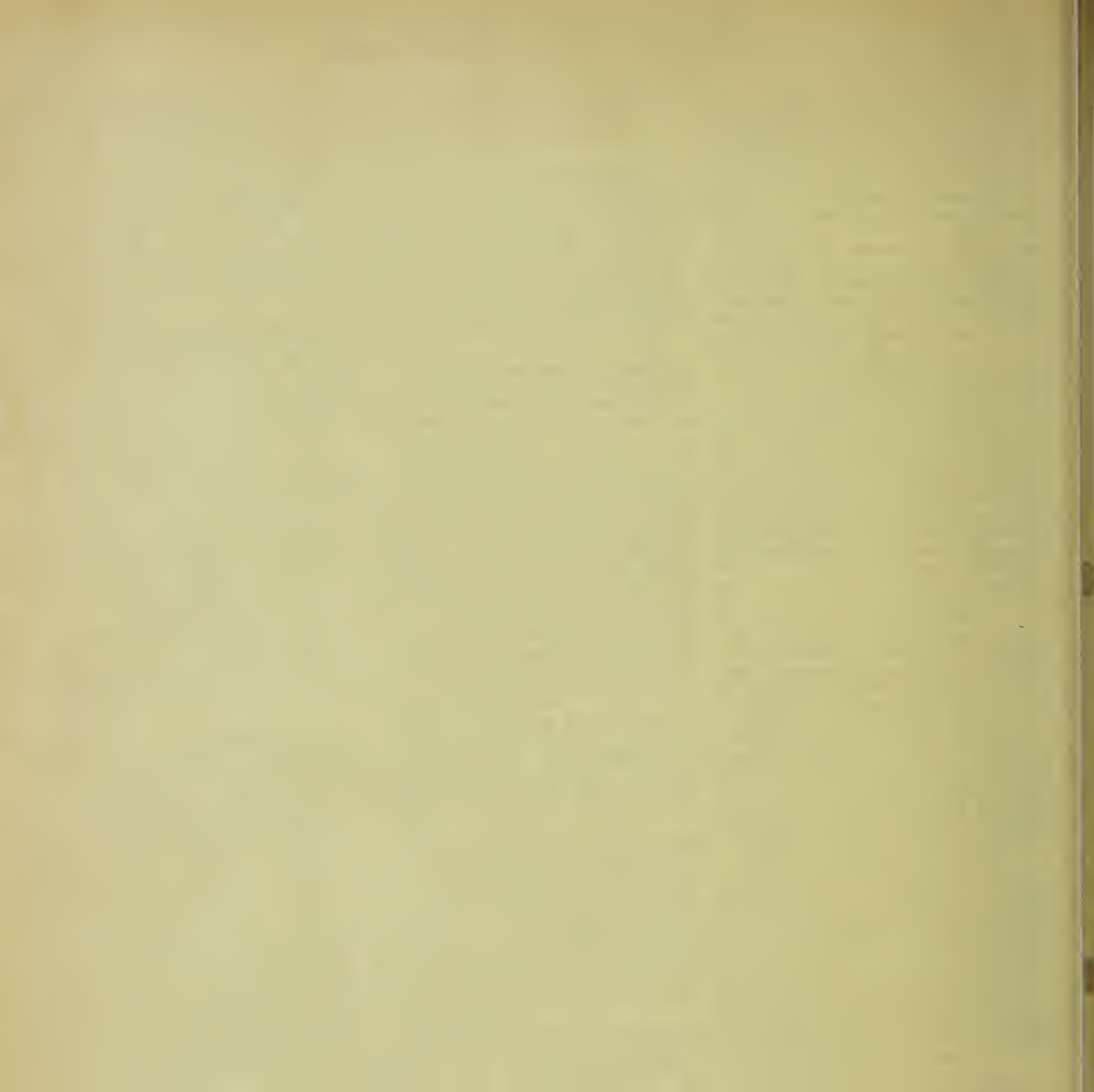
Heretofore, sales of this equipment have been on a competitive bid basis. The taxpayer has been the loser because the competitive bid system often results in one very low bid from the corporation holding the equipment—the only bidder in a position to know the condition of the equipment and to use the equipment without incurring costly moving expenses. Thus, the system is anything but competitive, and the single bid usually received is far below fair value.

To the degree that this provision expedites the sale of production equipment to private contractors, it will lift a substantial burden from the shoulders of those running the program and sharply reduce the costs of administration. It will also bring additional dollars back to the Federal Treasury from higher realized sales prices.

Finally, my bill will act as a safeguard against frivolous decisions by the Department of Defense, the National Aeronautics and Space Administration, and the Coast Guard, all covered by my proposal, to make exceptions to the general prohibition against the use of federally-owned equipment by private contractors. It will do so by providing Congress with an annual report on all decisions to place property having an acquisition cost in excess of \$10,000 in private hands be-







91ST CONGRESS  
1ST SESSION

# H. R. 11833

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 1969

Mr. ROGERS of Florida introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

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## A BILL

To amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "Resource Recovery Act  
4       of 1969".

5       SEC. 2. Section 203 of the Solid Waste Disposal Act  
6       is amended by inserting at the end thereof the following:

7       “(7) The term ‘municipality’ means a city, town, bor-  
8       ough, county, parish, district, or other public body created

1 by or pursuant to State law and having jurisdiction over the  
2 disposal of solid wastes.”

3 SEC. 3. (a) Subsection (a) of section 204 of the Solid  
4 Waste Disposal Act is amended by striking out all beginning  
5 with “the development and application” through the end of  
6 such subsection and inserting in lieu thereof the following:  
7 “the reduction of the amount of such waste and unsalvage-  
8 able waste materials, and the development and application  
9 of new and improved methods of collecting and disposing  
10 of solid waste and processing and recovering usable ma-  
11 terials from solid waste (including devices and facilities  
12 therefor).”

13 (b) Such section 204 is further amended by striking out  
14 subsection (d).

15 SEC. 4. The Solid Waste Disposal Act is amended by  
16 redesignating sections 205 and 206 as section 206 and 207,  
17 respectively, and by inserting after section 204 a new section  
18 as follows:

19 “SPECIAL STUDY AND DEMONSTRATION PROJECTS ON  
20 RECOVERY OF USEFUL MATERIALS

21 “SEC. 205. (a) The Secretary of Health, Education,  
22 and Welfare shall as soon as practicable carry out an inves-  
23 tigation and study to determine—

24 “(1) economical means of recovering useful ma-



1 materials from solid waste, recommended uses of such ma-  
2 terials for national or international welfare, and the  
3 market impact of such recovery;

4 “(2) appropriate incentive programs (including tax  
5 incentives) to assist in solving the problems of solid  
6 waste disposal;

7 “(3) practicable changes in current production and  
8 packaging practices which would reduce the amount of  
9 solid waste; and

10 “(4) practicable methods of collection and con-  
11 tainerization which will encourage efficient utilization of  
12 facilities and contribute to more effective programs of  
13 reduction, reuse, or disposal of wastes.

14 The Secretary shall report the results of such investigation  
15 and study to the President and the Congress.

16 “(b) The Secretary is also authorized to carry out dem-  
17 onstration projects to test and demonstrate recovery tech-  
18 niques developed pursuant to subsection (a).

19 “(c) The authority contained in section 204 for the  
20 purpose of carrying out research and demonstration projects  
21 shall be applicable to the provisions of this section.”

22 SEC. 5. Section 207 of the Solid Waste Disposal Act, as  
23 redesignated by the previous section of this Act, is amended  
24 to read as follows:

1 "GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

2 "SEC. 207. (a) The Secretary may from time to time,  
3 upon such terms and conditions consistent with this section  
4 as he finds appropriate to carry out the purposes of this Act,  
5 make grants to State, interstate, municipal, and intermuni-  
6 pal agencies, and organizations composed of public officials  
7 which are eligible for assistance under section 701 (g) of  
8 the Housing Act of 1954, of not to exceed  $66\frac{2}{3}$  per centum  
9 of the cost in the case of a single municipality, and not to  
10 exceed 75 per centum of the cost in the case of an area in-  
11 cluding more than one municipality, of (1) making surveys  
12 of solid waste disposal practices and problems within the  
13 jurisdictional areas of such agencies and (2) developing  
14 solid waste disposal plans as part of regional environmental  
15 protection systems for such areas, including planning for  
16 the reuse, as appropriate, of solid waste disposal areas and  
17 studies of the effect and relationship of solid waste disposal  
18 practices on areas adjacent to waste disposal sites, and not  
19 to exceed 50 per centum of the cost of overseeing the imple-  
20 mentation, including enforcement, and modification of such  
21 plans.

22 "(b) Grants pursuant to this section shall be made upon  
23 application therefor which—

24 "(1) designates or establishes a single agency as

1 the sole agency for carrying out the purposes of this  
2 section for the area involved;

3 “(2) indicates the manner in which provision will  
4 be made to assure full consideration of all aspects of  
5 planning essential to areawide planning for proper and  
6 effective solid waste disposal consistent with the pro-  
7 tection of the public health, including such factors as  
8 population growth, urban and metropolitan develop-  
9 ment, land use planning, water pollution control, air  
10 pollution control, and the feasibility of regional dis-  
11 posal programs;

12 “(3) sets forth plans for expenditure of such grant,  
13 which plans provide reasonable assurance of carrying  
14 out the purposes of this section;

15 “(4) provides for submission of a final report of the  
16 activities of the agency in carrying out the purposes of  
17 this section, and for the submission of such other reports,  
18 in such form and containing such information, as the  
19 Secretary may from time to time find necessary for car-  
20 rying out the purposes of this section and for keeping  
21 such records and affording such access thereto as he may  
22 find necessary to assure the correctness and verification  
23 of such reports; and



1       “(5) provides for such fiscal-control and fund-  
2       accounting procedures as may be necessary to assure  
3       proper disbursement of and accounting for funds paid to  
4       the agency under this section.

5       “(c) The Secretary shall make a grant under this sec-  
6       tion only if he finds that there is satisfactory assurance that  
7       the planning of solid waste disposal will be coordinated, so  
8       far as practicable, with, and not duplicative of, other related  
9       State, interstate, regional, and local planning activities,  
10      including those financed in part with funds pursuant to sec-  
11      tion 701 of the Housing Act of 1954.”

12      SEC. 6. The Solid Waste Disposal Act is further amended  
13      by redesignating the last four sections in such Act as sec-  
14      tions 211 through 214, respectively, and by inserting after  
15      section 207, as redesignated by this Act, the following new  
16      sections:

17                   “GRANTS FOR CONSTRUCTION

18      “SEC. 208. (a) The Secretary of Health, Education,  
19      and Welfare is authorized to make grants pursuant to this  
20      section to any State, municipality, or interstate or inter-  
21      municipal agency for the construction of solid waste disposal  
22      and resource recovery facilities, including completion and  
23      improvement of existing facilities.

24      “(b) Any such grant—

25                   “(1) shall be made for a project only if it is con-



1       sistent with any State or interstate plan for solid waste  
2       disposal, is included in a comprehensive plan for the  
3       area involved which is satisfactory to the Secretary  
4       for the purposes of this Act, and is consistent with  
5       any standards developed pursuant to section 209;

6       “(2) (A) shall be made in amounts not exceeding  
7       25 per centum of the estimated reasonable cost of the  
8       project as determined by the Secretary in the case of a  
9       project serving a single municipality and not exceeding  
10      50 per centum of such cost in the case of a project  
11      serving an area including more than one municipality,  
12      and only if the applicant is unable to obtain such  
13      amounts from other sources upon terms and conditions  
14      equally favorable;

15      “(B) Notwithstanding any other provision of this  
16      paragraph, the Secretary may increase the amount of  
17      a grant made under (A) by an additional 50 per centum  
18      of such grant for any project which utilizes new or  
19      improved techniques of demonstrated usefulness in re-  
20      ducing the environmental impact of solid waste disposal,  
21      recovery of resources, or recycling useful materials.

22      “(3) shall not be made until the applicant has  
23      made provision satisfactory to the Secretary for proper  
24      and efficient operation and maintenance of the project  
25      after completion;

1           “(4) shall not be made unless such project is con-  
2           sistent with the purposes of the Federal Water Pollution  
3           Control Act and the Clean Air Act; and

4           “(5) may be made subject to such conditions and  
5           requirements, in addition to those provided in this sec-  
6           tion, as the Secretary may require to properly carry  
7           out his functions pursuant to this Act.

8           “(c) In determining the desirability of projects and of  
9           approving Federal financial aid in connection therewith, con-  
10          sideration shall be given by the Secretary to the public  
11          benefits to be derived by the construction and the propriety  
12          of Federal aid in such construction, the relation of the ulti-  
13          mate cost of the project to the public interest and to the pub-  
14          lic necessity for the project, and the use by the applicant of  
15          comprehensive regional or metropolitan area planning.

16          “(d) Not more than 15 per centum of the total of funds  
17          appropriated for the purposes of this section in any fiscal year  
18          shall be granted for projects in any one State. In the case of  
19          a grant for a program in an area crossing State boundaries,  
20          the Secretary shall determine the portion of such grant which  
21          is chargeable to the percentage limitation under this subsec-  
22          tion for each State into which such area extends.

23                           “RECOMMENDED STANDARDS

24          “SEC. 209. (a) The Secretary of Health, Education,  
25          and Welfare shall, in cooperation with appropriate State,

1 interstate, and regional and local agencies, within eighteen  
2 months following the date of enactment of this section, rec-  
3 ommend to appropriate agencies standards for solid waste  
4 collection and disposal systems (including systems for private  
5 use) which are consistent with health, air, and water pollu-  
6 tion standards and can be adapted to applicable land use  
7 plans.

8 “(b) Further, the Secretary shall, as soon as practi-  
9 cable, recommend model codes, ordinances, and statutes  
10 which are designed to implement this section and the pur-  
11 poses of this Act.”

12 SEC. 6. (a) Subsection (a) of section 214 of the Solid  
13 Waste Disposal Act, as redesignated by this Act, is amended  
14 by striking out “not to exceed \$19,750,000 for the fiscal  
15 year ending June 30, 1970.” and inserting in lieu thereof  
16 the following: “not to exceed \$46,000,000 for the fiscal  
17 year ending June 30, 1970, not to exceed \$83,000,000 for  
18 the fiscal year ending June 30, 1971, not to exceed \$152,-  
19 000,000 for the fiscal year ending June 30, 1972, not to  
20 exceed \$216,000,000 for the fiscal year ending June 30,  
21 1973. The sums so appropriated shall remain available until  
22 expended.”

23 (b) Subsection (b) of such section 214 is amended  
24 by striking out “not to exceed \$12,250,000 for the fiscal  
25 year ending June 30, 1970.” and inserting in lieu thereof



1 the following: "not to exceed \$15,000,000 for the fiscal year  
2 ending June 30, 1970, not to exceed \$17,500,000 for the  
3 fiscal year ending June 30, 1971, not to exceed \$20,000,000  
4 for the fiscal year ending June 30, 1972, not to exceed  
5 \$22,500,000 for the fiscal year ending June 30, 1973."

6 SEC. 7. The amendments made by this Act shall be  
7 effective for fiscal years beginning after June 30, 1969.





91<sup>ST</sup> CONGRESS  
1<sup>ST</sup> Session

# H. R. 11833

## A BILL

To amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

By Mr. ROGERS of Florida

JUNE 3, 1969

Referred to the Committee on Interstate and Foreign  
Commerce









# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

For actions of June 4, 1970  
91st-2nd; No. 91

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HIGHLIGHTS: House committee reported agricultural appropriation bill. Senate committee reported custom livestock slaughtering bill. Rep. Findley urged setting of wheat referendum date. Rep. Kluczynski inserted USDA's letter on allegations of inadequate imported meat inspection. Rep. Mahon inserted "budget score-keeping" report.

### SENATE

1. MEAT INSPECTION; SLAUGHTERING. The Committee on Agriculture and Forestry reported with amendment S. 3592 to clarify the provisions relating to custom slaughtering operations (Rept. No. 91-915). p. S8347
2. CONSERVATION; ENVIRONMENT. Sen. McGee stated that he favors a fresh approach to environmental discussion, dropping the verbiage in vogue in preference for the practical approach of Wyoming writer Mike Leon. p. S8377-78

HOUSE

3. APPROPRIATIONS. The Agriculture Committee reported H. R. 17923, the agricultural appropriations bill for FY 71 (H. Rept. No. 91-1161). (A copy of the report will be attached to the next Digest.) p. H5183  
Passed with amendment H. R. 17867, making appropriations for Foreign Assistance for FY 71. pp. H5101-45  
Passed without amendment H. R. 17868, the D.C. appropriations bill for FY 71. pp. H5089-100  
During the debate on the Foreign Assistance appropriation bill, Rep. Mahon discussed the importance of the agricultural appropriation bill and the ways that it touches the lives of all Americans. pp. H5108-9
4. SOLID WASTE; LOANS. The Interstate and Foreign Commerce Committee reported, with amendment, H. R. 11833, amending the Solid Waste Disposal Act to provide financial assistance for the construction of solid waste disposal facilities (H. Rept. No. 91-1155). p. H5182
5. CONSERVATION. The Rules Committee granted a rule for the consideration of H. R. 15361, establishing the Youth Conservation Corps pilot program. p. H5182
6. RIVER BASINS. Agreed to the Senate amendments to H. R. 15166, authorizing additional appropriations for flood control projects in certain comprehensive river basin plans. This bill now goes to the President. pp. H5145-48
7. ECONOMY. Rep. Patman urged the President to roll back interest rates and inserted a copy of P. L. 91-151, a copy of his letter to the President requesting a meeting, and a radio interview on current economic trends. pp. H5151-56
8. LOANS. Rep. Roth discussed the current issue of "Catalog of Federal Domestic Assistance" and urged the passage of H. R. 17112, the proposed Program Information Act. pp. H5167-8
9. ENVIRONMENT. Rep. Saylor commended Field and Stream on its 75th anniversary and inserted several articles from its anniversary issue on the future of man's environment. pp. H5172-7









## RESOURCE RECOVERY ACT OF 1970

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JUNE 4, 1970.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. STAGGERS, from the Committee on Interstate and Foreign Commerce, submitted the following

### REPORT

[To accompany H.R. 11833]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment strikes out all of the bill after the enacting clause and inserts in lieu thereof a substitute which appears in the reported bill in *italic type*.

#### PURPOSES OF LEGISLATION

The purposes of the legislation are (1) to expand and intensify the development of new technologies for solid waste disposal; (2) to promote greater initiative on the part of the States in assuming increasing responsibilities for solid waste disposal programs; (3) to stimulate the construction by States and municipalities of pilot facilities utilizing new and improved waste disposal technologies; and (4) to conduct studies to determine economical means of and appropriate incentives for, (a) recovering useful materials and energy from solid waste and (b) reducing the amount of such waste and facilitating the disposability thereof through improved production and packaging practices.

These objectives are to be achieved through (1) studies, investigations, and demonstration projects conducted by the Secretary of HEW

and (2) construction grants to States and municipalities as well as interstate and intermunicipal agencies to contribute to the financing of pilot facilities utilizing new and improved technologies if the construction of such facilities is part of a State or interstate plan setting forth a comprehensive plan for solid waste disposal in the particular area or areas involved.

#### NEED FOR LEGISLATION

This Nation is generating approximately 360 million tons of industrial, municipal, and commercial solid waste. This amount is expected to double by 1980. To manage this waste, we spend \$4.5 billion annually. While these expenditures are increasing steadily, we are failing to do a satisfactory job. The greatest amount of the moneys spent goes for collecting solid waste and transporting it to some place where it may be dumped or burned.

The most prevalent method for disposing of solid waste is open dumping. Yet, 94 percent of the open dumping facilities used are inadequate, since the dumped waste either is not covered daily with dirt as it properly should, or is being burned, or creates water pollution problems. Incineration is the second most frequently employed method. Yet, 75 percent of all municipal incinerators are inadequate because they are inefficient in reducing solid wastes, or create air pollution problems, or both. If present collection methods are not improved we shall not be able to build and operate enough trucks to collect the growing volume of waste materials.

Improved collection and disposal methods, however, will not suffice to take care of the steadily growing volume of solid waste materials. We shall have to develop new technologies for reclaiming and recycling usable materials and energy from such solid waste. We shall also have to improve production and packaging methods of products which end up as solid waste so as to reduce the amount of such waste and to facilitate the disposal thereof.

The development of such technologies is difficult and costly. The present level of funding of research to take care of a \$4.5 billion problem is entirely inadequate. One such technology which holds out the greatest promise is the generating of electric power from solid wastes and adequate funds should be made available promptly to reduce the leadtime in the case of this particular technology as much as possible. Beyond the development of such technologies, however, we shall have to provide adequate economic incentives to make the recapture and recycling of useful materials and energy attractive to those private industries which produce the products which are not used up but end up as solid waste.

The following tables indicating the composition of municipal solid waste suggest which industries are primarily responsible for generating such waste and what materials are primarily available for reuse or recycling.



*Composition and Analysis of Composite Municipal Refuse (1966) <sup>1</sup>*

<i>Components</i>	<i>Percent by weight</i>
1. Corrugated paper boxes.....	23.38
2. Newspaper.....	9.40
3. Magazine paper.....	6.80
4. Brown paper.....	5.57
5. Mail.....	2.75
6. Paper food cartons.....	2.06
7. Tissue paper.....	1.98
8. Wax cartons.....	.76
9. Plastic coated paper.....	.76
10. Vegetable food wastes.....	2.29
11. Citric rinds and seeds.....	1.53
12. Meat scraps, cooked.....	2.29
13. Fried fats.....	2.29
14. Wood.....	2.29
15. Ripe tree leaves.....	2.29
16. Flower garden plants.....	1.53
17. Lawn grass, green.....	1.53
18. Evergreens.....	1.53
19. Plastics.....	.76
20. Rags.....	.76
21. Leather goods.....	.38
22. Rubber composition.....	.38
23. Paint and oils.....	.76
24. Vacuum cleaner catch.....	.76
25. Dirt.....	1.53
26. Metals.....	6.85
27. Glass, ceramics, ash.....	7.73
28. Adjusted moisture.....	9.05
Total.....	100.00

<sup>1</sup> Source: Kaiser, E. R. Chemical analyses of refuse components, 1966.

**EXHIBIT C**

*Municipal Solid Wastes: Physical Characteristics Data <sup>1</sup> (Typical Ranges)*

<i>Category</i>	<i>Percent by weight</i>
Metal products.....	8-11
Glass products.....	8-11
Paper products.....	40-54
Food wastes.....	10-26
Yard wastes.....	3-80
Wood products.....	3-70
Plastic products.....	1-20
Cloth, rubber, leather, synthetics.....	1-20
Dirt, ashes, rocks, and other inerts.....	1-50

<sup>1</sup> Source: "Characteristics of Municipal Solid Waste Management," Scrap Age, February 1969.

Additionally, the responsibility for the development of improved solid waste disposal programs cannot be left to individual municipalities, small and large, which traditionally have shouldered the responsibility for solid waste disposal, but the States must demonstrate increasing concern in this area. Prior to 1965, the year when the Solid Waste Disposal Act first was enacted by the Congress, few States assumed any responsibility for formulating solid waste disposal programs. While the number of States which have been willing to

develop action programs has increased greatly since that year, the time now has come to stimulate through a highly selective grant program the construction of advanced disposal facilities designed to carry out such State plans on an area-by-area basis.

The legislation reported by your committee is designed to further all of these various objectives, and only through the pursuit of these several objectives is there any hope that the steadily mounting problem of solid waste management can be dealt with successfully.

#### SECTION-BY-SECTION ANALYSIS

##### *Section 1. Title*

Section 1 sets forth the title of the bill: "Resource Recovery Act of 1970."

##### *Section 2. Definitions*

Section 2 amends section 203 of the Solid Waste Disposal Act by adding a definition of the term "municipality".

##### *Section 3. Multiple objectives of studies*

Section 3 amends section 204 of the Solid Waste Disposal Act so as to emphasize (a) reduction of the amount of solid waste and, (b) new and improved methods of collecting and disposing of solid waste, and, (c) recovery of usable materials or energy from solid waste as the multiple objectives of studies, research, experiments, training, and demonstrations to be conducted by the Secretary of Health, Education, and Welfare.

##### *Section 4. Special study, planning, and construction grants, and standards*

Section 4(a) of the bill redesignates section 205 of the act as 206, inserts a new section 205 (relating to a special study), redesignates sections 207 through 210 as 210 through 213, and inserts new subsections 207 through 209. The new subsections 205, 207, 208, and 209 are described below.

##### *New section 205 of act.—Special study and demonstration projects on recovery of useful energy and materials*

This section directs the Secretary of Health, Education, and Welfare to carry out an investigation and study to determine—

- (1) Economical means of recovering useful materials from solid waste, recommended uses of such materials for national or international welfare, and the market impact of such recovery;
- (2) Appropriate incentive programs (including tax incentives) to assist in solving the problems of solid waste disposal;
- (3) Practicable changes in current production and packaging practices which would reduce the amount of solid waste; and
- (4) Practicable methods of collection and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse, or disposal of wastes.

The Secretary is directed to report the results of such investigation and study to the President and the Congress.

The Secretary is authorized to carry out demonstration projects to test and demonstrate techniques developed as a result of the study. The provisions contained in section 204 of the act relating to patents and information resulting from Government-financed research activities are applicable to such demonstration projects.



*New section 207 of act—Planning grants*

The new section 207 of the Solid Waste Disposal Act (a revision of section 206 of existing law) authorizes planning grants to State, interstate, municipal, and intermunicipal agencies as well of metropolitan, regional, or district councils of government<sup>1</sup> of not to exceed 66⅔ per centum in the case of a project serving an area which does not include more than one municipality and not to exceed 75 per centum in any other case, and not to exceed 50 per centum of the cost of overseeing the implementation, enforcement and modification of such plans. Such planning grants are to be available for (1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and (2) developing solid waste disposal plans as part of regional environmental protection systems for such areas, including planning for the reuse, as appropriate, of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites.

To qualify for planning grants, an applicant must meet the following conditions:

(1) Designate or establish a single agency as the sole agency to discharge for the area involved the responsibilities contemplated by this section;

(2) Indicate how an areawide planning of effective solid waste disposal programs provision will be made for the consideration of such public health factors as population growth, urban and metropolitan development, land use planning, water and air pollution control, and the feasibility of regional disposal programs;

(3) Set forth how the grant will be expended so as to carry out the purposes of this section;

(4) Provide for submission of a final report by the agency on its activities, and for submission of such other reports and information as the Secretary may prescribe; and

(5) Provide for appropriate fiscal control and accounting procedures.

Grants under this section shall be made only if the Secretary finds that the planning will not duplicate, but will be coordinated with, other related planning activities.

*New section 208 of act—Grants for construction*

This section provides grants to any State, municipality or interstate or intermunicipal agency for the construction of projects utilizing new and improved techniques of demonstrated usefulness in reducing the environmental impact of solid waste disposal, promoting the recovery of energy or resources, or the recycling of useful materials.

The program contemplated by this section is not a general grant-in-aid program entitling each State to a share in available grant funds. The program is an experimental one designed to assist in the financing of advanced solid waste disposal facilities within those States which have demonstrated a willingness to assume responsibilities for formulating comprehensive solid waste disposal programs for intrastate or interstate areas within their territories. Within the framework of such

<sup>1</sup> These councils of government are composed of public officials representative of the political jurisdictions within a metropolitan area, region, or district, and are eligible for planning grants under section 701(g) of the Housing Act of 1954.

plans, municipalities may apply singly or jointly for grants for pilot projects utilizing new and improved techniques of solid waste disposal. Since it can reasonably be expected that different techniques will be suitable for municipalities of different sizes, in different locales and having different characteristics, such comprehensive State plans are expected to call for a number of different facilities to be constructed concurrently. If more than 10 eligible projects are applied for, the funds are to be distributed among at least 10 applicants. If grants for fewer than 10 such projects are applied for, the Secretary may use the funds for those eligible municipalities which have applied.

In the case of construction grants to a single municipality, the amounts of such grants shall not exceed 50 percent of the estimated reasonable cost of the project as determined by the Secretary. In the case of construction grants to more than one municipality, the amounts may be increased by an additional 25 percent of such cost. In either case, however, grants shall be made only if—

(1) The applicant is unable to obtain such amounts from other sources upon terms and conditions equally favorable;

(2) The applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project after completion; and

(3) The project is consistent with the purposes of the Federal Water Pollution Control Act and the Clean Air Act.

The Secretary may impose such additional conditions as he deems necessary to carry out his functions pursuant to this act.

In determining the desirability of projects and of approving Federal financial aid in connection therewith, consideration shall be given by the Secretary to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of the project to the public interest and to the public necessity for the project and the use by the applicant of comprehensive regional or metropolitan area planning.

Not more than 15 per centum of the total of funds appropriated for the purposes of this section in any fiscal year shall be granted for projects in any one State, and not more than 10 percent of the allotment to the State for any one project (except that if fewer than 10 applicants apply, each applicant must receive at least 10 percent). In the case of a grant for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant which is chargeable to the percentage limitation under this subsection for each State into which such area extends.

It is the intention of the committee that projects under this section be subject to the review system established pursuant to Bureau of the Budget Circular No. A-95. This review system was established pursuant to title IV of the Intergovernmental Cooperation Act of 1968.

#### *New section 209 of act—Standards*

This section directs the Secretary, within 18 months following date of enactment, to recommend to the appropriate agencies standards for solid waste collection and disposal systems (including systems for private use) which are consistent with health, air, and water pollution standards and can be adopted to applicable land use plans. Such standards shall be developed in cooperation with appropriate State, interstate, and regional and local agencies. The Secretary is also authorized to recommend model codes to implement this section.



### *Section 5. Authorization of additional appropriations*

Responsibilities under the Solid Waste Disposal Act are divided between the Secretary of Health, Education, and Welfare and the Secretary of the Interior. The Secretary of Health, Education, and Welfare has been given the primary responsibility for dealing with solid waste disposal problems. The Secretary of the Interior's responsibilities are limited to "problems of solid waste resulting from the extraction, processing, or utilization of minerals or fossil fuels where the generation, production or reuse of such waste is or may be controlled within the extraction, processing, or utilization facility or facilities and where such control is a feature of the technology or economy of the operation of such facility or facilities." (Sec. 203(1).)

Section 5 would amend the redesignated section 213 (former section 210) of the Solid Waste Disposal Act by authorizing the following additional appropriations:

(a) to the Secretary of Health, Education, and Welfare for the fiscal year ending June 30, 1971, not to exceed \$83 million; for the fiscal year ending June 30, 1972, not to exceed \$152 million; for the fiscal year ending June 30, 1973, not to exceed \$216 million.

(b) to the Secretary of the Interior: for the fiscal year ending June 30, 1971, not to exceed \$17.5 million; for the fiscal year ending June 30, 1972, not to exceed \$20 million; for the fiscal year ending June 30, 1973, not to exceed \$22.5 million.

In addition, subsection (c) of this section authorizes up to 1 percent of appropriations to carry out the Solid Waste Disposal Act to be used for evaluation.

### *Section 6. Effective date*

This section provides that the amendments made by the bill apply with respect to fiscal year 1971 and thereafter.

## CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

## **SOLID WASTE DISPOSAL ACT**

### **TITLE II—SOLID WASTE DISPOSAL**

#### **SHORT TITLE**

SEC. 201. This title (hereinafter referred to as "this Act") may be cited as the "Solid Waste Disposal Act".

#### **FINDINGS AND PURPOSES**

SEC. 202. (a) The Congress finds—

(1) that the continuing technological progress and improvement in methods of manufacture, packaging, and marketing of consumer products has resulted in an ever-mounting increase, and in a change in the characteristics, of the mass of material discarded by the purchaser of such products;

(2) that the economic and population growth of our Nation, and the improvements in the standard of living enjoyed by our population, have required increased industrial production to meet our needs, and have made necessary the demolition of old buildings, the construction of new buildings, and the provision of highways and other avenues of transportation, which, together with related industrial, commercial, and agricultural operations, have resulted in a rising tide of scrap, discarded, and waste materials;

(3) that the continuing concentration of our population in expanding metropolitan and other urban areas has presented these communities with serious financial, management, intergovernmental, and technical problems in the disposal of solid wastes resulting from the industrial, commercial, domestic, and other activities carried on in such areas;

(4) that inefficient and improper methods of disposal of solid wastes result in scenic blights, create serious hazards to the public health, including pollution of air and water resources, accident hazards, and increase in rodent and insect vectors of disease, have an adverse effect on land values, create public nuisances, otherwise interfere with community life and development;

(5) that the failure or inability to salvage and reuse such materials economically results in the unnecessary waste and depletion of our natural resources; and

(6) that while the collection and disposal of solid wastes should continue to be primarily the function of State, regional, and local agencies, the problems of waste disposal as set forth above have become a matter national in scope and in concern and necessitate Federal action through financial and technical assistance and leadership in the development, demonstration, and application of new and improved methods and processes to reduce the amount of waste and unsalvageable materials and to provide for proper and economical solid-waste disposal practices.

(b) The purposes of this Act therefore are—

(1) to initiate and accelerate a national research and development program for new and improved methods of proper and economic solid-waste disposal, including studies directed toward the conservation of natural resources by reducing the amount of waste and unsalvageable materials and by recovery and utilization of potential resources in solid wastes; and

(2) to provide technical and financial assistance to State and local governments and interstate agencies in the planning, development, and conduct of solid-waste disposal programs.

#### DEFINITIONS

SEC. 203. When used in this Act—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare; except that such term means the Secretary of the Interior with respect to problems of solid waste resulting from the extraction, processing, or utilization of minerals or fossil fuels where the generation, production, or reuse of such waste is or may be controlled within the extraction, processing, or utilization facility or



facilities and where such control is a feature of the technology or economy of the operation of such facility or facilities.

(2) The term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(3) The term "interstate agency" means an agency of two or more municipalities in different States, or an agency established by two or more States, with authority to provide for the disposal of solid wastes and serving two or more municipalities located in different States.

(4) The term "solid waste" means garbage, refuse, and other discarded solid materials, including solid-waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

(5) The term "solid-waste disposal" means the collection, storage, treatment, utilization, processing, or final disposal of solid waste.

(6) The term "construction", with respect to any project of construction under this Act, means (A) the erection or building of new structures and acquisition of lands or interests therein, or the acquisition, replacment, expansion, remodeling, alteration, modernization, or extension of existing structures, and (B) the acquisition and installation of initial equipment of, or required in connection with, new or newly acquired structures or the expanded, remodeled, altered, modernized or extended part of existing structures (including trucks and other motor vehicles, and tractors, cranes, and other machinery) necessary for the proper utilization and operation of the facility after completion of the project; and includes preliminary planning to determine the economic and engineering feasibility and the public health and safety aspects of the project, the engineering, architectural, legal, fiscal, and economic investigations and studies, and any surveys, designs, plans, working drawings, specifications, and other action necessary for the carrying out of the project, and (C) the inspection and supervision of the process of carrying out the project to completion.

(7) *The term "municipality" means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law and having jurisdiction over the disposal of solid wastes.*

#### RESEARCH, DEMONSTRATIONS, TRAINING, AND OTHER ACTIVITIES

SEC. 204. (a) The Secretary shall conduct, and encourage, cooperate with, and render financial and other assistance to appropriate public (whether Federal, State, interstate, or local) authorities, agencies, and institutions, private agencies and institutions, and individuals in the conduct of, and promote the coordination of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to the operation and financing of solid-waste disposal programs, [the development and application of new and improved methods of solid-waste disposal (including devices and facilities therefor), and the reduction of the amount of such waste and unsalvageable waste materials.] *the reduction of the amount of such waste and un-*

*salvageable waste materials, and the development and application of new and improved methods of collecting and disposing of solid waste and processing and of recovering usable energy and materials from solid waste (including devices and facilities therefor).*

(b) In carrying out the provisions of the preceding subsection, the Secretary is authorized to—

(1) collect and make available, through publications and other appropriate means, the results of, and other information pertaining to, such research and other activities, including appropriate recommendations in connection therewith;

(2) cooperate with public and private agencies, institutions, and organizations, and with any industries involved, in the preparation and the conduct of such research and other activities; and

(3) make grants-in-aid to public or private agencies and institutions and to individuals for research, training projects, surveys, and demonstrations (including construction of facilities), and provide for the conduct of research, training, surveys, and demonstrations by contract with public or private agencies and institutions and with individuals; and such contracts for research or demonstrations or both (including contracts for construction) may be made in accordance with and subject to the limitations provided with respect to research contracts of the military departments in title 10, United States Code, section 2353, except that the determination, approval, and certification required thereby shall be made by the Secretary.

(c) Any grant, agreement, or contract made or entered into under this section shall contain provisions effective to insure that all information, uses, processes, patents and other developments resulting from any activity undertaken pursuant to such grant, agreement, or contract will be made readily available on fair and equitable terms to industries utilizing methods of solid-waste disposal and industries engaging in furnishing devices, facilities, equipment, and supplies to be used in connection with solid-waste disposal. In carrying out the provisions of this section, the Secretary, and each department, agency, and officer of the Federal Government having functions or duties under this Act shall make use of and adhere to the Statement of Government Patent Policy which was promulgated by the President in his memorandum of October 10, 1963. (3 CFR, 1963 Supp., p. 238.)

[(d) Notwithstanding any other provision of this Act, the United States shall not make any grant to pay more than two-thirds of the cost of construction of any facility under this Act.]

#### **SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF USEFUL ENERGY AND MATERIALS**

**SEC. 205.** (a) *The Secretary of Health, Education, and Welfare shall carry out an investigation and study to determine—*

(1) *economical means of recovering useful energy and materials from solid waste, recommended uses of such energy and materials for national or international welfare, and the market impact of such recovery;*

(2) *appropriate incentive programs (including tax incentives) to assist in solving the problems of solid waste disposal;*



(3) practicable changes in current production and packaging practices which would reduce the amount of solid waste; and

(4) practicable methods of collection and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse, or disposal of wastes.

*The Secretary shall from time to time, but not less frequently than annually, report the results of such investigation and study to the President and the Congress.*

*(b) The Secretary is also authorized to carry out demonstration projects to test and demonstrate methods and techniques developed pursuant to subsection (a).*

*(c) Section 204 (b) and (c) shall be applicable to investigations, studies, and projects carried out under this section.*

#### INTERSTATE AND INTERLOCAL COOPERATION

**SEC. [205] 206.** The Secretary shall encourage cooperative activities by the States and local governments in connection with solid-waste disposal programs; encourage, where practicable, interstate, interlocal, and regional planning for, and the conduct of, interstate, interlocal, and regional solid-waste disposal programs; and encourage the enactment of improved and, so far as practicable, uniform State and local laws governing solid-waste disposal.

#### [GRANTS FOR STATE AND INTERSTATE PLANNING

**[SEC. 206. (a)]** The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State and interstate agencies of not to exceed 50 per centum of the cost of making surveys of solid-waste disposal practices and problems within the jurisdictional areas of such States or agencies, and of developing solid-waste disposal plans for such areas.

**[ (b) ]** In order to be eligible for a grant under this section the State, or the interstate agency, must submit an application therefor which—

**[ (1) ]** designates or establishes a single State agency (which may be an interdepartmental agency) or, in the case of an interstate agency, such interstate agency, as the sole agency for carrying out the purposes of this section;

**[ (2) ]** indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to statewide planning (or in the case of an interstate agency jurisdictionwide planning) for proper and effective solid-waste disposal consistent with the protection of the public health, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal programs;

**[ (3) ]** sets forth its plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

**[ (4) ]** provides for submission of a final report of the activities of the State or interstate agency in carrying out the purposes of this section, and for the submission of such other reports, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes

of this section and for keeping such records and affording such access thereto as he may find necessary to assure the correctness and verification of such reports; and

[(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the State or interstate agency under this section.

[(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid-waste disposal will be coordinated, so far as practicable, with other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.]

#### GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

*SEC. 207. (a) The Secretary of Health, Education, and Welfare may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of—*

*“(1) not to exceed 66⅔ per centum of the cost in the case of an application with respect to an area including only one municipality, and not to exceed 75 per centum of the cost in any other case—*

*“(A) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and*

*“(B) developing solid waste disposal plans as part of regional environmental protection systems for such areas, including planning for the reuse, as appropriate, of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites, and*

*“(2) not to exceed 50 per centum of the cost of overseeing the implementation, including enforcement, and modification of plans developed under paragraph (1)(B).*

*(b) Grants pursuant to this section shall be made upon application therefore which—*

*(1) designates or establishes a single agency as the sole agency for carrying out the purposes of this section for the area involved,*

*(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal programs,*

*(3) sets forth plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;*

*(4) provides for submission of a final report of the activities of the agency in carrying out the purposes of this section, and for the submission of such other reports, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such*



records and affording such access thereto as he may find necessary to assure the correctness and verification of such reports; and

(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with, and not duplicative of, other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.

#### GRANTS FOR CONSTRUCTION

SEC. 208. (a) The Secretary of Health, Education, and Welfare is authorized to make grants pursuant to this section to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal and resource recovery facilities, including improvement of existing facilities.

(b) Any such grant—

(1) shall be made for a project only if—

(A) a State or interstate plan for solid waste disposal has been adopted which applies to the area involved, and the project is consistent with such plan, is included in a comprehensive plan for the area involved which is satisfactory to the Secretary for the purposes of this Act, and is consistent with any standards developed pursuant to section 209, and

(B) it utilizes new and improved techniques of demonstrated usefulness in reducing the environmental impact of solid waste disposal, in achieving recovery of energy or resources, or in recycling useful materials;

(2) shall be made (A) in amounts not exceeding 50 per centum of the estimated reasonable cost of the project as determined by the Secretary in the case of a project serving an area which includes only one municipality and not exceeding 75 per centum of such cost in any other case, and (B) only if the applicant is unable to obtain such amounts from other sources upon terms and conditions equally favorable;

(3) shall not be made until the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project after completion;

(4) shall not be made unless such project is consistent with the purposes of the Federal Water Pollution Control Act and the Clean Air Act; and

(5) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

(c) In determining the desirability of projects and of approving Federal financial aid in connection therewith, consideration shall be given by the Secretary to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of the project to the public interest and to the public necessity for the project, and the use by the applicant of comprehensive regional or metropolitan area planning.

(d)(1) Not more than 15 per centum of the total of funds appropriated for any fiscal year and available for purposes of this section shall be granted for projects in any one State.

(2) Of the sums granted for projects in any one State in any fiscal year, not more than 10 per centum shall be granted in such year for any single project in such State; except that in the case of a State for which less than 10 project applications which meet the requirements of this section have been submitted (prior to such date as the Secretary shall prescribe) for a fiscal year, at least 10 per centum of such sum shall be granted for each such project.

(3) The Secretary shall prescribe by regulation the manner in which this subsection shall apply to a grant under this section for a project in an area which includes all or part of more than one State.

#### RECOMMENDED STANDARDS

SEC. 209. (a) The Secretary of Health, Education, and Welfare shall, in cooperation with appropriate State, interstate, and regional and local agencies, within eighteen months following the date of enactment of the Resource Recovery Act of 1970, recommend to appropriate agencies standards for solid waste collection and disposal systems (including systems for private use) which are consistent with health, air, and water pollution standards and can be adapted to applicable land use plans.

(b) In addition, the Secretary of Health, Education, and Welfare shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act.

#### LABOR STANDARDS

SEC. [207] 210. No grant for a project of construction under this Act shall be made unless the Secretary finds that the application contains or is supported by reasonable assurance that all laborers and mechanics employed by contractors or subcontractors on projects of the type covered by the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with that Act; and the Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

#### OTHER AUTHORITY NOT AFFECTED

SEC. [208] 211. This Act shall not be construed as superseding or limiting the authorities and responsibilities, under any other provisions of law, of the Secretary of Health, Education, and Welfare, the Secretary of the Interior, or any other Federal officer, department, or agency.

#### PAYMENTS

SEC. [209] 212. Payments of grants under this Act may be made (after necessary adjustment on account of previously made underpayments of overpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary may determine.



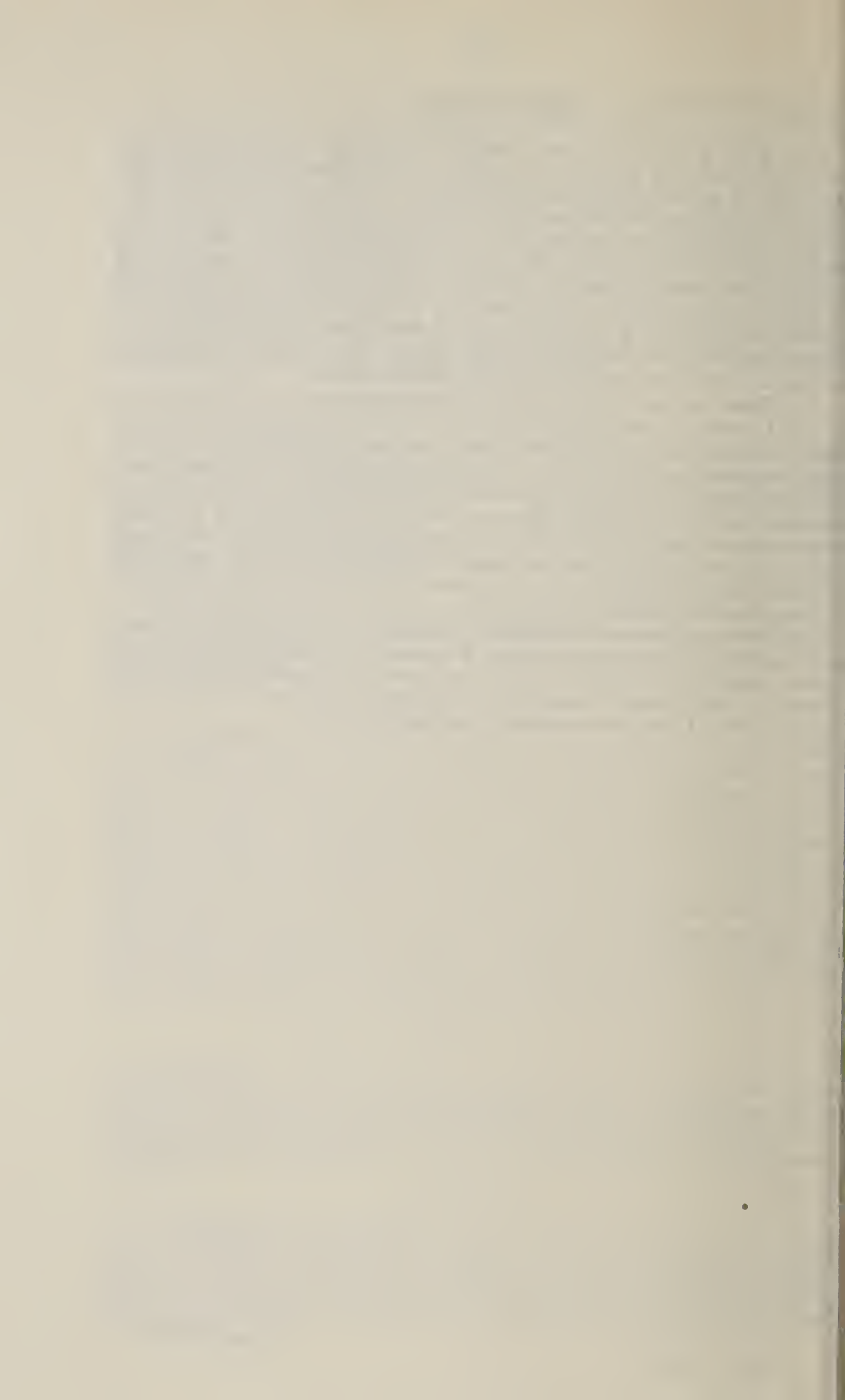
## APPROPRIATIONS

SEC. [210.] 213. (a) There is hereby authorized to be appropriated to the Secretary of Health, Education, and Welfare, to carry out this Act, not to exceed \$7,000,000 for the fiscal year ending June 30, 1966, not to exceed \$14,000,000 for the fiscal year ending June 30, 1967, not to exceed \$19,200,000 for the fiscal year ending June 30, 1968, not to exceed \$20,000,000 for the fiscal year ending June 30, 1969, [and] not to exceed \$19,750,000 for the fiscal year ending June 30, 1970, *not to exceed \$83,000,000 for the fiscal year ending June 30, 1971, not to exceed \$152,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$216,000,000 for the fiscal year ending June 30, 1973. The sums so appropriated shall remain available until expended.*

(b) There is hereby authorized to be appropriated to the Secretary of the Interior, to carry out this Act, not to exceed \$3,000,000 for the fiscal year ending June 30, 1966, not to exceed \$6,000,000 for the fiscal year ending June 30, 1967, not to exceed \$10,800,000 for the fiscal year ending June 30, 1968, not to exceed \$12,500,000 for the fiscal year ending June 30, 1969, [and] not to exceed \$12,250,000 for the fiscal year ending June 30, 1970, *not to exceed \$17,500,000 for the fiscal year ending June 30, 1971, not to exceed \$20,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$22,500,000 for the fiscal year ending June 30, 1973.*

(c) *Such portion as the Secretary may determine, but not more than 1 per centum, of any appropriation for grants, contracts, or other payments under any provision of this Act for any fiscal year beginning after June 30, 1970, shall be available for evaluation (directly, or by grants, or contracts) of any program authorized by this title.*

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91<sup>ST</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 11833

[Report No. 91-1155]

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 1969

Mr. ROGERS of Florida introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce

JUNE 4, 1970

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

To amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the “Resource Recovery Act  
4       of 1969”.

5       SEC. 2. Section 203 of the Solid Waste Disposal Act  
6       is amended by inserting at the end thereof the following:

7       “(7) The term ‘municipality’ means a city, town, bor-  
8       ough, county, parish, district, or other public body created

1 by or pursuant to State law and having jurisdiction over the  
2 disposal of solid wastes.”

3 SEC. 3. (a) Subsection (a) of section 204 of the Solid  
4 Waste Disposal Act is amended by striking out all beginning  
5 with “the development and application” through the end of  
6 such subsection and inserting in lieu thereof the following:  
7 “the reduction of the amount of such waste and unsalvage-  
8 able waste materials, and the development and application  
9 of new and improved methods of collecting and disposing  
10 of solid waste and processing and recovering usable ma-  
11 terials from solid waste (including devices and facilities  
12 therefor).”

13 (b) Such section 204 is further amended by striking out  
14 subsection (d).

15 SEC. 4. The Solid Waste Disposal Act is amended by  
16 redesignating sections 205 and 206 as section 206 and 207,  
17 respectively, and by inserting after section 204 a new section  
18 as follows:

19 “SPECIAL STUDY AND DEMONSTRATION PROJECTS ON  
20 RECOVERY OF USEFUL MATERIALS

21 “SEC. 205. (a) The Secretary of Health, Education,  
22 and Welfare shall as soon as practicable carry out an inves-  
23 tigation and study to determine—

24 “(1) economical means of recovering useful ma-



1 materials from solid waste; recommended uses of such  
2 materials for national or international welfare; and the  
3 market impact of such recovery;

4 “~~(2)~~ appropriate incentive programs ~~(including tax~~  
5 ~~incentives)~~ to assist in solving the problems of solid  
6 waste disposal;

7 “~~(3)~~ practicable changes in current production and  
8 packaging practices which would reduce the amount of  
9 solid waste; and

10 “~~(4)~~ practicable methods of collection and con-  
11 tainerization which will encourage efficient utilization  
12 of facilities and contribute to more effective programs of  
13 reduction, reuse, or disposal of wastes.

14 The Secretary shall report the results of such investigation  
15 and study to the President and the Congress.

16 “~~(b)~~ The Secretary is also authorized to carry out dem-  
17 onstration projects to test and demonstrate recovery tech-  
18 niques developed pursuant to subsection ~~(a)~~.

19 “~~(c)~~ The authority contained in section 204 for the  
20 purpose of carrying out research and demonstration projects  
21 shall be applicable to the provisions of this section.”

22 SEC. 5. Section 207 of the Solid Waste Disposal Act, as  
23 redesignated by the previous section of this Act, is amended  
24 to read as follows:

1 “GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

2 “SEC. 207. (a) The Secretary may from time to time,  
3 upon such terms and conditions consistent with this section  
4 as he finds appropriate to carry out the purposes of this Act,  
5 make grants to State, interstate, municipal, and intermuni-  
6 cipal agencies, and organizations composed of public officials  
7 which are eligible for assistance under section 701(g) of  
8 the Housing Act of 1954, of not to exceed  $16\frac{2}{3}$  per centum  
9 of the cost in the case of a single municipality, and not to  
10 exceed 75 per centum of the cost in the case of an area in-  
11 cluding more than one municipality, of (1) making surveys  
12 of solid waste disposal practices and problems within the  
13 jurisdictional areas of such agencies and (2) developing  
14 solid waste disposal plans as part of regional environmental  
15 protection systems for such areas, including planning for  
16 the reuse, as appropriate, of solid waste disposal areas and  
17 studies of the effect and relationship of solid waste disposal  
18 practices on areas adjacent to waste disposal sites, and not  
19 to exceed 50 per centum of the cost of overseeing the imple-  
20 mentation, including enforcement, and modification of such  
21 plans.

22 “(b) Grants pursuant to this section shall be made upon  
23 application therefor which—

24 “(1) designates or establishes a single agency as



1 the sole agency for carrying out the purposes of this  
2 section for the area involved;

3 “(2) indicates the manner in which provision will  
4 be made to assure full consideration of all aspects of  
5 planning essential to areawide planning for proper and  
6 effective solid waste disposal consistent with the pro-  
7 tection of the public health, including such factors as  
8 population growth, urban and metropolitan develop-  
9 ment, land use planning, water pollution control, air  
10 pollution control, and the feasibility of regional dis-  
11 posal programs;

12 “(3) sets forth plans for expenditure of such grant,  
13 which plans provide reasonable assurance of carrying  
14 out the purposes of this section;

15 “(4) provides for submission of a final report of the  
16 activities of the agency in carrying out the purposes of  
17 this section, and for the submission of such other reports,  
18 in such form and containing such information, as the  
19 Secretary may from time to time find necessary for car-  
20 rying out the purposes of this section and for keeping  
21 such records and affording such access thereto as he may  
22 find necessary to assure the correctness and verification  
23 of such reports; and

24 “(5) provides for such fiscal control and fund-

1        accounting procedures as may be necessary to assure  
2        proper disbursement of and accounting for funds paid to  
3        the agency under this section.

4       “(c) The Secretary shall make a grant under this sec-  
5       tion only if he finds that there is satisfactory assurance that  
6       the planning of solid waste disposal will be coordinated, so  
7       far as practicable, with, and not duplicative of, other related  
8       State, interstate, regional, and local planning activities,  
9       including those financed in part with funds pursuant to sec-  
10      tion 701 of the Housing Act of 1954.”

SEC. 6. The Solid Waste Disposal Act is further amended by redesignating the last four sections in such Act as sections 211 through 214, respectively, and by inserting after section 207, as redesignated by this Act, the following new sections:

16                   “GRANTS FOR CONSTRUCTION

17       “SEC. 208. (a) The Secretary of Health, Education,  
18       and Welfare is authorized to make grants pursuant to this  
19       section to any State, municipality, or interstate or inter-  
20       municipal agency for the construction of solid waste disposal  
21       and resource recovery facilities, including completion and  
22       improvement of existing facilities.

23           ~~“(b) Any such grant—~~

24 “(1) shall be made for a project only if it is con-  
25 sistent with any State or interstate plan for solid waste



1 disposal, is included in a comprehensive plan for the  
2 area involved which is satisfactory to the Secretary  
3 for the purposes of this Act, and is consistent with  
4 any standards developed pursuant to section 209;

5 “~~(2)(A)~~ shall be made in amounts not exceeding  
6 25 per centum of the estimated reasonable cost of the  
7 project as determined by the Secretary in the case of a  
8 project serving a single municipality and not exceeding  
9 50 per centum of such cost in the case of a project  
10 serving an area including more than one municipality,  
11 and only if the applicant is unable to obtain such  
12 amounts from other sources upon terms and conditions  
13 equally favorable;

14 “~~(B)~~ Notwithstanding any other provision of this  
15 paragraph, the Secretary may increase the amount of  
16 a grant made under ~~(A)~~ by an additional 50 per centum  
17 of such grant for any project which utilizes new or  
18 improved techniques of demonstrated usefulness in re-  
19 ducing the environmental impact of solid waste disposal,  
20 recovery of resources, or recycling useful materials.

21 “~~(3)~~ shall not be made until the applicant has  
22 made provision satisfactory to the Secretary for proper  
23 and efficient operation and maintenance of the project  
24 after completion;

25 “~~(4)~~ shall not be made unless such project is con-

1       sistent with the purposes of the Federal Water Pollution  
2       Control Act and the Clean Air Act; and

3           ~~“(5)~~ may be made subject to such conditions and  
4       requirements, in addition to those provided in this sec-  
5       tion, as the Secretary may require to properly carry  
6       out his functions pursuant to this Act.

7       ~~“(c)~~ In determining the desirability of projects and of  
8       approving Federal financial aid in connection therewith, con-  
9       sideration shall be given by the Secretary to the public  
10      benefits to be derived by the construction and the propriety  
11      of Federal aid in such construction, the relation of the ulti-  
12      mate cost of the project to the public interest and to the pub-  
13      lic necessity for the project, and the use by the applicant of  
14      comprehensive regional or metropolitan area planning.

15       ~~“(d)~~ Not more than 15 per centum of the total of funds  
16      appropriated for the purposes of this section in any fiscal year  
17      shall be granted for projects in any one State. In the case of  
18      a grant for a program in an area crossing State boundaries,  
19      the Secretary shall determine the portion of such grant which  
20      is chargeable to the percentage limitation under this subsec-  
21      tion for each State into which such area extends.

22                           ~~“RECOMMENDED STANDARDS~~

23       ~~“SEC. 209. (a)~~ The Secretary of Health, Education,  
24      and Welfare shall, in cooperation with appropriate State,  
25      interstate, and regional and local agencies, within eighteen



1 months following the date of enactment of this section, rec-  
2 ommend to appropriate agencies standards for solid waste  
3 collection and disposal systems (including systems for private  
4 use) which are consistent with health, air, and water pollu-  
5 tion standards and can be adapted to applicable land use  
6 plans.

7 “(b) Further, the Secretary shall, as soon as practi-  
8 cable, recommend model codes, ordinances, and statutes  
9 which are designed to implement this section and the pur-  
10 poses of this Act.”

11 SEC. 6. (a) Subsection (a) of section 214 of the Solid  
12 Waste Disposal Act, as redesignated by this Act, is amended  
13 by striking out “not to exceed \$19,750,000 for the fiscal  
14 year ending June 30, 1970.” and inserting in lieu thereof  
15 the following: “not to exceed \$46,000,000 for the fiscal  
16 year ending June 30, 1970; not to exceed \$83,000,000 for  
17 the fiscal year ending June 30, 1971, not to exceed \$152,-  
18 000,000 for the fiscal year ending June 30, 1972, not to  
19 exceed \$216,000,000 for the fiscal year ending June 30,  
20 1973. The sums so appropriated shall remain available until  
21 expended.”

22 (b) Subsection (b) of such section 214 is amended  
23 by striking out “not to exceed \$12,250,000 for the fiscal  
24 year ending June 30, 1970.” and inserting in lieu thereof

1 the following: “not to exceed \$15,000,000 for the fiscal year  
2 ending June 30, 1970, not to exceed \$17,500,000 for the  
3 fiscal year ending June 30, 1971, not to exceed \$20,000,000  
4 for the fiscal year ending June 30, 1972, not to exceed  
5 \$22,500,000 for the fiscal year ending June 30, 1973.”

6 SEC. 7. The amendments made by this Act shall be  
7 effective for fiscal years beginning after June 30, 1969.

8 *That this Act may be cited as the “Resource Recovery Act*  
9 *of 1970”.*

10 SEC. 2. *Section 203 of the Solid Waste Disposal Act*  
11 *is amended by inserting at the end thereof the following:*

12 “(7) The term ‘municipality’ means a city, town, bor-  
13 ough, county, parish, district, or other public body created  
14 by or pursuant to State law and having jurisdiction over the  
15 disposal of solid wastes.”

16 SEC. 3. (a) *Section 204(a) of the Solid Waste Dis-*  
17 *posal Act is amended by striking out all that follows “solid-*  
18 *waste disposal programs,” in such subsection and inserting in*  
19 *lieu thereof the following: “the reduction of the amount of*  
20 *such waste and unsalvageable waste materials, and the devel-*  
21 *opment and application of new and improved methods of*  
22 *collecting and disposing of solid waste and processing and of*  
23 *recovering usable energy and materials from solid waste (in-*  
24 *cluding devices and facilities therefor).”*

25 (b) *Section 204(d) of such Act is repealed.*



1       *SEC. 4. (a) The Solid Waste Disposal Act is amended*  
2   *by striking out section 206, by redesignating section 205 as*  
3   *206, and by inserting after section 204 the following new*  
4   *section:*

5       *“SPECIAL STUDY AND DEMONSTRATION PROJECTS ON*  
6       *RECOVERY OF USEFUL ENERGY AND MATERIALS*

7       *“SEC. 205. (a) The Secretary of Health, Education,*  
8   *and Welfare shall carry out an investigation and study to*  
9   *determine—*

10       *“(1) economical means of recovering useful energy*  
11   *and materials from solid waste, recommended uses of*  
12   *such energy and materials for national or international*  
13   *welfare, and the market impact of such recovery;*

14       *“(2) appropriate incentive programs (including tax*  
15   *incentives) to assist in solving the problems of solid*  
16   *waste disposal;*

17       *“(3) practicable changes in current production and*  
18   *packaging practices which would reduce the amount of*  
19   *solid waste; and*

20       *“(4) practicable methods of collection and con-*  
21   *tainerization which will encourage efficient utilization of*  
22   *facilities and contribute to more effective programs of*  
23   *reduction, reuse, or disposal of wastes.*

24   *The Secretary shall from time to time, but not less frequently*

1 *than annually, report the results of such investigation and*  
 2 *study to the President and the Congress.*

3       “(b) *The Secretary is also authorized to carry out dem-*  
 4 *onstration projects to test and demonstrate methods and tech-*  
 5 *niques developed pursuant to subsection (a).*”

6       “(c) *Section 204 (b) and (c) shall be applicable to in-*  
 7 *vestigations, studies, and projects carried out under this*  
 8 *section.*”

9       (b) *The Solid Waste Disposal Act is amended by redes-*  
 10 *ignating sections 207 through 210 as sections 210 through*  
 11 *213, respectively, and by inserting after section 206 (as so*  
 12 *redesignated by subsection (a) of this section) the following*  
 13 *new sections:*

14       “GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

15       “SEC. 207. (a) *The Secretary of Health, Education,*  
 16 *and Welfare may from time to time, upon such terms and*  
 17 *conditions consistent with this section as he finds appropriate*  
 18 *to carry out the purposes of this Act, make grants to State,*  
 19 *interstate, municipal, and intermunicipal agencies, and or-*  
 20 *ganizations composed of public officials which are eligible for*  
 21 *assistance under section 701(g) of the Housing Act of 1954,*  
 22 *of—*

23       “(1) *not to exceed 66 $\frac{2}{3}$  per centum of the cost in the*  
 24 *case of an application with respect to an area includ-*



1        *ing only one municipality, and not to exceed 75 per*  
2        *centum of the cost in any other case, of—*

3                *“(A) making surveys of solid waste disposal*  
4                *practices and problems within the jurisdictional areas*  
5                *of such agencies and*

6                *“(B) developing solid waste disposal plans as*  
7                *part of regional environmental protection systems*  
8                *for such areas, including planning for the reuse, as*  
9                *appropriate, of solid waste disposal areas and studies*  
10               *of the effect and relationship of solid waste disposal*  
11               *practices on areas adjacent to waste disposal sites;*  
12               *and*

13               *“(2) not to exceed 50 per centum of the cost of*  
14               *overseeing the implementation, including enforcement,*  
15               *and modification of plans developed under paragraph*  
16               *(1) (B).*

17               *“(b) Grants pursuant to this section shall be made upon*  
18        *application therefor which—*

19               *“(1) designates or establishes a single agency as*  
20               *the sole agency for carrying out the purposes of this*  
21               *section for the area involved;*

22               *“(2) indicates the manner in which provision will*  
23               *be made to assure full consideration of all aspects of*  
24               *planning essential to areawide planning for proper and*

1        *effective solid waste disposal consistent with the pro-*  
2        *tection of the public health, including such factors as*  
3        *population growth, urban and metropolitan develop-*  
4        *ment, land use planning, water pollution control, air*  
5        *pollution control, and the feasibility of regional dis-*  
6        *posal programs;*

7            *“(3) sets forth plans for expenditure of such grant,*  
8        *which plans provide reasonable assurance of carrying*  
9        *out the purposes of this section;*

10           *“(4) provides for submission of a final report of the*  
11        *activities of the agency in carrying out the purposes of*  
12        *this section, and for the submission of such other reports,*  
13        *in such form and containing such information, as the*  
14        *Secretary may from time to time find necessary for car-*  
15        *rying out the purposes of this section and for keeping*  
16        *such records and affording such access thereto as he may*  
17        *find necessary to assure the correctness and verification*  
18        *of such reports; and*

19           *“(5) provides for such fiscal-control and fund-*  
20        *accounting procedures as may be necessary to assure*  
21        *proper disbursement of and accounting for funds paid to*  
22        *the agency under this section.*

23           *“(c) The Secretary shall make a grant under this sec-*  
24        *tion only if he finds that there is satisfactory assurance that*  
25        *the planning of solid waste disposal will be coordinated, so*



1 *far as practicable, with, and not duplicative of, other related*  
2 *State, interstate, regional, and local planning activities,*  
3 *including those financed in part with funds pursuant to sec-*  
4 *tion 701 of the Housing Act of 1954.*

5 "GRANTS FOR CONSTRUCTION

6 "SEC. 208. (a) *The Secretary of Health, Education,*  
7 *and Welfare is authorized to make grants pursuant to this*  
8 *section to any State, municipality, or interstate or inter-*  
9 *municipal agency for the construction of solid waste disposal*  
10 *and resource recovery facilities, including improvement of*  
11 *existing facilities.*

12 "(b) *Any such grant—*

13 "(1) *shall be made for a project only if—*

14 "(A) *a State or interstate plan for solid waste*  
15 *disposal has been adopted which applies to the area*  
16 *involved, and the project is consistent with such plan,*  
17 *is included in a comprehensive plan for the area*  
18 *involved which is satisfactory to the Secretary for*  
19 *the purposes of this Act, and is consistent with any*  
20 *standards developed pursuant to section 209, and*

21 "(B) *it utilizes new and improved techniques*  
22 *of demonstrated usefulness in reducing the environ-*  
23 *mental impact of solid waste disposal, in achieving*  
24 *recovery of energy or resources, or in recycling use-*  
25 *ful materials;*

1           “(2) shall be made (A) in amounts not exceeding  
2       50 per centum of the estimated reasonable cost of the  
3       project as determined by the Secretary in the case of a  
4       project serving an area which includes only one munic-  
5       ipality and not exceeding 75 per centum of such cost in  
6       any other case, and (B) only if the applicant is unable  
7       to obtain such amounts from other sources upon terms  
8       and conditions equally favorable;

9           “(3) shall not be made until the applicant has  
10      made provision satisfactory to the Secretary for proper  
11      and efficient operation and maintenance of the project  
12      after completion;

13          “(4) shall not be made unless such project is con-  
14      sistent with the purposes of the Federal Water Pollution  
15      Control Act and the Clean Air Act; and

16          “(5) may be made subject to such conditions and  
17      requirements, in addition to those provided in this sec-  
18      tion, as the Secretary may require to properly carry  
19      out his functions pursuant to this Act.

20          “(c) In determining the desirability of projects and of  
21      approving Federal financial aid in connection therewith, con-  
22      sideration shall be given by the Secretary to the public  
23      benefits to be derived by the construction and the propriety  
24      of Federal aid in such construction, the relation of the ulti-  
25      mate cost of the project to the public interest and to the pub-



1 *lic necessity for the project, and the use by the applicant of*  
2 *comprehensive regional or metropolitan area planning.*

3 “(d)(1) *Not more than 15 per centum of the total of*  
4 *funds appropriated for any fiscal year and available for*  
5 *purposes of this section shall be granted for projects in any*  
6 *one State.*

7 “(2) *Of the sums granted for projects in any one State*  
8 *in any fiscal year, not more than 10 per centum shall be*  
9 *granted in such year for any single project in such State;*  
10 *except that, in the case of a State for which less than 10*  
11 *project applications which meet the requirements of this sec-*  
12 *tion have been submitted (prior to such date as the Secretary*  
13 *shall prescribe) for a fiscal year, at least 10 per centum*  
14 *of such sums shall be granted for each such project.*

15 “(3) *The Secretary shall prescribe by regulation the*  
16 *manner in which this subsection shall apply to a grant under*  
17 *this section for a project in an area which includes all or part*  
18 *of more than one State.*

19 “RECOMMENDED STANDARDS

20 “SEC. 209. (a) *The Secretary of Health, Education,*  
21 *and Welfare shall, in cooperation with appropriate State,*  
22 *interstate, and regional and local agencies, within eighteen*  
23 *months following the date of enactment of the Resource Re-*  
24 *covery Act of 1970, recommend to appropriate agencies*

1 standards for solid waste collection and disposal systems  
2 (including systems for private use) which are consistent  
3 with health, air, and water pollution standards and can be  
4 adapted to applicable land use plans.

5 “(b) In addition, the Secretary of Health, Education,  
6 and Welfare shall, as soon as practicable, recommend model  
7 codes, ordinances, and statutes which are designed to imple-  
8 ment this section and the purposes of this Act.”

9 SEC. 5. (a) Section 213(a) of the Solid Waste Dis-  
10 posal Act (as so redesignated by this Act) is amended by  
11 striking out “and” after “1969,” and by inserting before  
12 the period at the end thereof the following: “, not to exceed  
13 \$83,000,000 for the fiscal year ending June 30, 1971, not  
14 to exceed \$152,000,000 for the fiscal year ending June 30,  
15 1972, and not to exceed \$216,000,000 for the fiscal year  
16 ending June 30, 1973. The sums so appropriated shall re-  
17 main available until expended”.

18 (b) Section 213(b) of such Act (as so redesignated)  
19 is amended by striking out “and” after “1969,” and by in-  
20 serting before the period at the end thereof the following:  
21 “, not to exceed \$17,500,000 for the fiscal year ending June  
22 30, 1971, not to exceed \$20,000,000 for the fiscal year ending  
23 June 30, 1972, and not to exceed \$22,500,000 for the fiscal  
24 year ending June 30, 1973”.

25 (c) Section 213 of such Act (as so redesignated) is



1 further amended by adding at the end thereof the following  
2 new subsection:

3 “(c) Such portion as the Secretary may determine, but  
4 not more than 1 per centum, of any appropriation for  
5 grants, contracts, or other payments under any provision  
6 of this Act for any fiscal year beginning after June 30,  
7 1970, shall be available for evaluation (directly, or by  
8 grants, or contracts) of any program authorized by this  
9 title.”

10 SEC. 6. The amendments made by this Act shall be  
11 effective for fiscal years beginning after June 30, 1970.

[Report No. 91-1155]

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# **A BILL**

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To amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

---

By Mr. ROGERS of Florida

---

JUNE 3, 1969

Referred to the Committee on Interstate and Foreign  
Commerce

JUNE 4, 1970

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed









# **DIGEST** of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

For actions of June 10, 1970  
91st-2nd; No. 95

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HIGHLIGHTS. Sen. Mansfield, Hruska and others discussed alleged beef shortage. Sen. Dole praised USDA policy on cooperatives. Rep. Melcher expressed concern about imported meat inspection. Sen. Mansfield introduced and discussed meat import inspection bill.

### HOUSE

1. ENVIRONMENT. Passed with amendments H. R. 17255, amending the Clean Air Act. pp. H5346-89
2. ALASKA. The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 778, amending the 1964 amendments to the Alaska Omnibus Act. p. D607
3. WALLA-WALLA PROJECT. Conferees agreed to file (but did not actually file) a conference report on S. 743, authorizing funds to construct the Touchet Division, Walla-Walla project, Oregon-Washington. p. D608

4. RECLAMATION. Conferees agreed to file (but did not actually file) a conference report on S. 2062, differentiating between private and public ownership of lands in the administration of the acreage-limitation provisions of Federal reclamation law. p. D608
  5. HOUSING. Reps. Widnall, Wylie, Blackburn, Williams, and Hunt urged action by the Rules Committee to get the proposed Emergency Home Finance Act to the floor. pp. H5342-3
  6. ECONOMY; INFLATION.. Rep. Burlison, Missouri, stated "the policies now in force for controlling inflation are not succeeding" and that "Congress must soon seriously consider wage and price controls". pp. H5397-8  
Rep. William Ford discussed the economic situation and stated the President should "use the powers of his office to halt our plunge into economic disaster".  
Rep. Hanna stated that "the economic goals we set for ourselves in the 1930's have been attained" and now "we must redefine our understanding and restructure institutions so that our policies and institutions are consistent with the realities in the national economy". pp. H5423-4  
Rep. Barrett criticized the announcement that the Defense Production Act will be used "to bail out a \$7 billion corporation, the Penn Central Co." p. H5424
  7. RECREATION. Rep. Burton, Utah, urged the extension of the Golden Eagle passport program. p. H5398
  8. NATIONAL PARK. Rep. Bush noted the "keen personal desire" of Secretary Hickel for action by the Interior Department to establish the Big Thicket National Park. p. H5400
  9. MEAT INSPECTION. Rep. Melcher expressed deep concern about equal inspection of imported and domestic meats and inserted an article about inspection of Australian meats. pp. H5400-1
  10. HIGHWAYS. Received from the Secretary of Transportation of a draft of proposed legislation to authorize appropriations for FY 72 and 73 for the construction of certain highways; to the Committee on Public Works. p. H5433  
Received from the Secretary of Transportation a draft of proposed legislation to extend the duration of the highway trust fund; to the Committee on Ways and Means. p. H5433
- SENATE
11. WILDERNESS; NATIONAL FOREST. Committee on Interior and Insular Affairs reported without amendment S.170 to designate the Mount Baldy Wilderness, the Pine Mountain Wilderness, and the Sycamore Canyon Wilderness within certain national forests in Arizona (S. Rept. No. 91-922). p. S8713
  12. WASTE DISPOSAL FACILITIES. The Subcommittee on Air and Water Pollution, in executive session, approved for full committee consideration, with amendments, S. 2005, providing financial assistance for the construction of solid waste disposal facilities. p. D605







# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

For actions of June 23, 1970  
91st-2nd; No. 104

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### SENATE

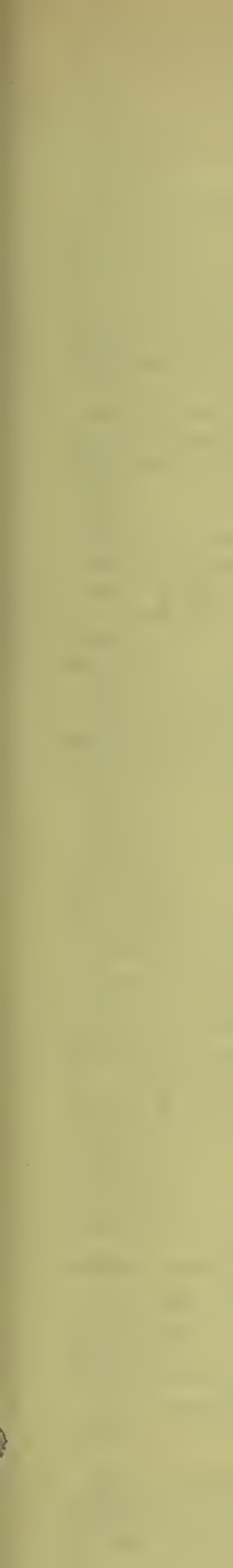
1. RECREATION. Agreed to House amendments to S. 2315, restoring the Golden Eagle program. This bill now goes to the President. p. S9614
2. RECLAMATION. Agreed to the conference report on S.2062, differentiating between private and public ownership of lands in the administration of the acreage-limitation provisions of Federal reclamation law. This bill now goes to the President. pp. S9614-5
3. WALLA-WALLA PROJECT. Agreed to the conference report on S.743, authorizing the construction, operation and maintenance of the Touchet division, Walla-Walla project, Oregon-Washington. This bill now goes to the President. p. S9615

4. APPROPRIATIONS. An Appropriations Committee subcommittee approved for full committee consideration HR 17548, with amendments, the HUD appropriations bill FY 71. p. D669
5. RIVER BASIN; NATIONAL PARKS; SYMBOL. The Interior and Insular Affairs Committee voted to report (but did not actually report) the following bills:
  - S. 3547, amended, authorizing the construction, operation, and maintenance of the Narrows unit, Missouri River Basin project, Colorado;
  - S. 531, amended, establishing the Capitol Reef National Park, Utah;
  - S. 532, amended, establishing the Arches National Park, Utah; and
  - S. 3838, preventing the unauthorized manufacture, reproduction, and use of the antilitter symbol "Johnny Horizon". p. D669
6. TARIFFS. The Finance Committee reported, without amendment, HR 8512, suspending for a temporary period the import duty on L-Dopa (S. Rept. No. 91-940). p. S9549
7. ELECTRIFICATION. Received a report from the Administrator, REA, on the approval of a loan to the South Texas Electric Cooperative, Inc., Victoria, Texas, for the financing of certain new transmission facilities, minor improvements to existing generation facilities, and the completion of previously loaned facilities to the Committee on Appropriations. pp. S9548-9
8. ENVIRONMENT. The Public Works Committee reported an original bill, S. 4012, extending the Clean Air Act and the Solid Waste Disposal Act for 60 days (S. Rept. No. 91-941). p. S9549
  - Sen. Eagleton inserted Sen. Muskie's speech "Corporate Responsibility and the Environment". pp. S9567-9
  - Sen. Mathias inserted an article suggesting an international agency be established to solve environment problems. pp. S9569-71
  - Sen. Proxmire discussed his bill, S. 3181, the proposed Regional Water Quality Act of 1970, and urged action on it. pp. S9583-4
9. HOUSING. Sen Mathias inserted an article discussing the growth of vacation-home and second-home market. pp. S9573-4

#### HOUSE

10. APPROPRIATIONS. Disagreed to the Senate amendments to HR 17399, the second supplemental appropriations bill, FY 70, and appointed conferees. p. H5916
11. VETO MESSAGE. Received the President's veto message on HR 11102, the Medical Facilities Construction and Modernization Amendments of 1970 (H. Doc. 91-353). pp. H5899-900
12. SOLID WASTE. Passed without amendment, HR 11833 amending the Solid Waste Disposal Act to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act. pp. H5901-16







bill the Federal grant-in-aid program for the building of hospitals. Under that program 45 percent—generally that or a little larger percentage in particular cases—may be granted by the Federal Government for the construction of hospitals.

Mr. Speaker, this is a bipartisan program, originated by a Democrat, the able Senator from Alabama, (Mr. HILL), a Republican and the able Senator from Ohio (Mr. BURTON) who went on to become an Associate Justice of the Supreme Court, but it has continued to be a bipartisan program and has been one of the most popular programs the Congress has ever adopted. It helps not only public hospitals but also private hospitals built and operated by religious institutions.

The President's program to provide funds for hospital construction by the Federal Government guaranteeing loans made by the builders of hospitals can only lead to increased hospital costs by patients when hospital costs are already burdensome or in some case prohibitively high.

The President's proposal now for a sudden stoppage and the killing of that program is a shocking reversal of policy on the part of the President.

It has made possible the construction of thousands of hospital rooms over the country, immeasurably contributing to the health and well-being of millions of the people of this country. It certainly is a paradox that this very day when we received the President's veto of the hospital construction program, we received a request from the President that the Government provide a \$750 million loan to a \$64 billion corporation.

I certainly hope this House will respond to the humanitarian appeals of our country and our people who sorely need more hospitals and more hospital expansion and will override the President's veto.

#### RESOURCE RECOVERY ACT OF 1970

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up H.R. 1068 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1068

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall

rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Ohio (Mr. LATTA), pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1068 provides an open rule with 1 hour of general debate for consideration of H.R. 11833, the Resource Recovery Act of 1970. The resolution further provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment.

The purposes of H.R. 11833 are: First, to expand and intensify the development of new technologies for solid waste disposal; second, to promote greater initiative on the part of the States in assuming increasing responsibilities for solid waste disposal programs; third, to stimulate the construction by States and municipalities of pilot facilities utilizing new and improved waste disposal technologies; and fourth, to conduct studies to determine economical means of and appropriate incentives for recovering useful materials and energy from solid waste and reducing the amount of such waste and facilitating the disposability thereof through improved production and packaging practices.

The objectives are to be achieved through studies, investigations, and demonstration projects conducted by the Secretary of Health, Education, and Welfare and construction grants to State and municipalities as well as interstate and intermunicipal agencies to contribute to the financing of pilot facilities.

Appropriations would be authorized to the Secretary of Health, Education, and Welfare for fiscal year 1971 in the amount of not more than \$83 million, for fiscal year 1972 not more than \$152 million and for fiscal year 1973 not more than \$216 million.

Appropriations would be authorized to the Secretary of the Interior for fiscal year 1971 in the amount of not more than \$17.5 million, for fiscal year 1972 not more than \$20 million and for fiscal year 1973 not more than \$22.5 million.

Mr. Speaker, I urge the adoption of House Resolution 1068.

(Mr. LATTA asked and was given permission to revise and extend his remarks.)

Mr. LATTA. Mr. Speaker, as the able gentleman from Florida has stated, House Resolution 1068 provides an open rule, 1 hour of debate on the bill, H.R. 11833, the Resource Recovery Act of 1970. The rule also makes in order the committee substitute as an original bill for the purpose of amendment.

The purpose of the bill is to amend the Solid Waste Disposal Act in a number of significant areas. The bill will: First, expand and intensify the development of new techniques for solid waste

disposal; second, stimulate the construction by the several States and municipalities of pilot projects utilizing new and improved waste disposal technologies; and, third, provide for conducting studies to determine economical means of and appropriate incentives for recovering useful materials and energy from solid waste and a way to reduce the amounts of such waste which should be disposed of.

Studies, demonstrations, and pilot projects will be funded through grants from the Secretary of Health, Education, and Welfare. Construction grants to States and municipalities are also available to enable these agencies to construct and improve waste disposal facilities. The United States generates approximately 360 million tons of industrial, municipal, and commercial waste, each year. We spend \$4.5 billion annually to dispose of it and yet we are not doing a satisfactory job. New techniques must be developed to dispose of waste and reclaim from it valuable products and sources of energy. In order to develop new techniques, pilot projects must be undertaken. The bill funds such projects.

The authorization covers 3 years, fiscal years 1971 through 1973. Total authorizations for 1971 are \$100.5 million; for 1972, \$172 million and for 1973, \$238.5 million.

I support the rule and the bill.

I compliment the committee for bringing this bill forward.

Mr. Speaker, I have no requests for time, and reserve the remainder of my time.

Mr. PEPPER. Mr. Speaker, I have no further requests for time.

I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11833, with Mr. ABERNETHY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 30 minutes.



The Chair recognizes the gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, there is outstanding need for this legislation. This Nation is generating approximately 360 million tons of industrial, municipal, and commercial solid waste. This amount is expected to double by 1980. To manage this waste, we spend \$4.5 billion annually. While these expenditures are increasing steadily, we are failing to do a satisfactory job. The greatest amount of the moneys spent goes for collecting solid waste and transporting it to some place where it may be dumped or burned.

The most prevalent method for disposing of solid waste is open dumping. Yet, 94 percent of the open dumping facilities used are inadequate, since the dumped waste either is not covered daily with dirt as it properly should, or is being burned, or creates water pollution problems. Incineration is the second most frequently employed method. Yet, 75 percent of all municipal incinerators are inadequate because they are inefficient in reducing solid wastes, or create air pollution problems, or both. If present collection methods are not improved we shall not be able to build and operate enough trucks to collect the growing volume of waste materials.

Improved collection and disposal methods, however, will not suffice to take care of the steadily growing volume of solid waste materials. We shall have to develop new technologies for reclaiming and recycling usable materials and energy from such solid waste. We shall also have to improve production and packaging methods of products which end up as solid waste so as to reduce the amount of such waste and to facilitate the disposal thereof.

The development of such technologies is difficult and costly. The present level of funding of research to take care of a \$4.5 billion problem is entirely inadequate. One such technology which holds out the greatest promise is the generating of electric power from solid wastes and adequate funds should be made available promptly to reduce the leadtime in the case of this particular technology as much as possible. Beyond the development of such technologies, however, we shall have to provide adequate economic incentives to make the recapture and recycling of useful materials and energy attractive to those private industries which produce the products which are not used up but end up as solid waste.

Additionally, the responsibility for the development of improved solid waste disposal programs cannot be left to individual municipalities, small and large, which traditionally have shouldered the responsibility for solid waste disposal, but the States must demonstrate increasing concern in this area. Prior to 1965, the year when the Solid Waste Disposal Act first was enacted by the Congress, few States assumed any responsibility for formulating solid waste disposal programs. While the number of States which have been willing to develop action programs has increased greatly since that year, the time now has come to stimulate through a highly selective grant pro-

gram the construction of advanced disposal facilities designed to carry out such State plans on an area-by-area basis.

The legislation reported by your committee is designed to further all of these various objectives, and only through the pursuit of these several objectives is there any hope that the steadily mounting problem of solid waste management can be dealt with successfully.

In summary then, the purposes of the legislation are, first, to expand and intensify the development of new technologies for solid waste disposal; second, to promote greater initiative on the part of the State in assuming increasing responsibilities for solid waste disposal programs; third, to stimulate the construction by States and municipalities of pilot facilities utilizing new and improved waste disposal technologies; and fourth, to conduct studies to determine economical means of and appropriate incentives for, first, recovering useful materials and energy from solid waste and, second, reducing the amount of such waste and facilitating the disposability thereof through improved production and packaging practices.

These objectives are to be achieved through, first, studies, investigations, and demonstration projects conducted by the Secretary of Health, Education, and Welfare, and, second, construction grants to States and municipalities as well as interstate and intermunicipal agencies to contribute to the financing of pilot facilities utilizing new and improved technologies if the construction of such facilities is part of a State or interstate plan setting forth a comprehensive plan for solid waste disposal in the particular area or areas involved.

This is the second piece of environmental legislation which the Interstate and Foreign Commerce Committee is bringing to the floor immediately following the Clean Air Act amendments. Solid waste disposal programs are not anywhere near as far advanced as the clean air program. The need however is urgent and we shall have to make fast progress. The legislation therefore provides for a steep increase in authorized funds through the fiscal year 1973. The legislation authorizes funds for two Departments which share responsibilities under this legislation—the Department of Health, Education, and Welfare and the Department of the Interior.

The bill provides for HEW not to exceed \$83 million for the fiscal year ending June 30, 1971, not to exceed \$152 million for the fiscal year ending June 30, 1972, and not to exceed \$216 million for the fiscal year ending June 30, 1973.

For the Department of the Interior it provides sums not to exceed \$17,500,000 for the fiscal year ending June 30, 1971, not to exceed \$20 million for the fiscal year ending June 30, 1972, and not to exceed \$22,500,000 for the fiscal year ending June 30, 1973.

Mr. Chairman, I hope the House will support this legislation which will greatly benefit the American people. I might say that when it came out of the committee the vote was 21 to 1. The one vote in opposition was because of some particular aspect of the bill.

Now, Mr. Chairman, there are many products that can be reclaimed in this solid waste disposal program and one of the most important of these is the generating of electric energy which would be generated by a new technique which they are developing by burning waste materials. Certainly, Mr. Chairman, many other products can be reclaimed from these waste products.

Mr. Chairman, in my opinion the bill has been fully considered by the subcommittee and by the full committee and the House should pass the bill.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I am happy to yield to my friend, the gentleman from Minnesota (Mr. NELSEN).

Mr. NELSEN. Is there any provision in this bill to the effect that they must spend the money that is authorized?

Mr. STAGGERS. No, I would say in response to the question of the gentleman from Minnesota; there is not.

Mr. NELSEN. I thank the gentleman from West Virginia.

Mr. SPRINGER. Mr. Chairman, I yield myself such time as I may consume.

(Mr. SPRINGER asked and was given permission to revise and extend his remarks.)

Mr. SPRINGER. Mr. Chairman, as concerned as we are about the air we breath and its effect on public health, we stand a good chance of being engulfed by a tidal wave of trash before air pollution gets to us. Our way of life has brought about a flood of convenient packages which can neither be consumed or successfully disposed of. Solid waste disposal systems are primitive at best and certainly were never designed to cope with the sophisticated trash we now impose upon them. We are presently in the predicament of the Australian who went crazy trying to throw away his old boomerang.

Having come to the point where present methods are patently inadequate and alternatives seem to be few we must reach out for completely new approaches. The thrust of the bill before us today is in exactly that direction. In addition to searching for and trying new methods of collecting and disposing of solid waste it contemplates efforts to reduce the amount of solid waste and the recycling and reuse of whatever useful substances might be extracted from it. First of all it calls for studies along all of these lines with reports to the President and to Congress.

If any good ideas are developed in the course of the studies the Secretary is authorized to give them a whirl in the form of demonstration projects to test and show off the new techniques.

Recognizing that not all good ideas come from the top and that the eventual operation of waste disposal systems will be local, the bill provides for planning grants to States, municipalities, or combinations of either. These grants will pay up to two-thirds of the cost of planning activities by a single municipality or three-fourths of the cost where a combination of entities is involved. If plans are developed, continuing 50-50 grants will be available to implement them and then oversee the operations.



It is one thing to make plans and it is another to carry them out with the necessary physical facilities. Waste disposal presumes equipment and even large installations, particularly where resources are to be salvaged for reuse. So where plans have been successfully made and new techniques are available there is good reason to encourage the use of these techniques. Communities which are willing to make use of them and apply their own resources to the effort can get grant assistance in the actual construction of facilities. It is not a general grant program with allocations to all States on a formula basis but rather one which rewards the acceptance of responsibility and willingness to take on the new ideas. The Secretary is given fairly wide discretion in the acceptance of applications to see that the projects funded are also contributing something to the overall progress in solid waste disposal and are consistent with the aims of the act as well as consistent with all other environmental considerations. Limitations upon the amount available for any one project will insure against undue concentration of the funds provided. As knowledge is gained standards can be set for disposal systems, and it is contemplated that this will be done starting within the next 18 months.

Two departments of the Federal Government are vitally interested in solid waste disposal, and the authorizations contained in the bill recognize this fact. The Department of Interior is responsible for programs involving minerals and fossil fuels. The Department of Health, Education, and Welfare has the large responsibility of working with the communities and administering the grants. These authorizations amount to \$83 million for fiscal 1971, \$152 million for fiscal 1972 and \$216 million for fiscal 1973.

This legislation is necessary and in my opinion well designed to make an impact upon the problem in the shortest possible time. We must gain on the trash soon. This should do it. I recommend the bill to the House.

Mr. McCURE. Mr. Chairman, if the gentleman will yield.

I notice there is a provision here for an appropriation both to the Department of Health, Education, and Welfare, and the Department of the Interior.

Is there anything in this legislation which would prohibit interdepartmental agreements which would allow the Department of Agriculture, for instance, to use a portion of those funds on ongoing programs which the U.S. Forest Service has in this field.

Mr. SPRINGER. May I say, I will yield to the gentleman from North Carolina on that point. He had a proposed amendment this morning which I am not sure he introduced, but nevertheless he has gone into this in detail and perhaps can answer the gentleman.

Mr. BROYHILL of North Carolina. I will discuss this matter later.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. GROSS. I am surprised not to find any departmental reports in this report accompanying the bill. Why are there no departmental reports?

Mr. SPRINGER. I am unable to answer the gentleman on that particular point. Perhaps the chairman of the subcommittee can answer the question of the gentleman from Iowa.

Mr. GROSS. I will say it becomes a pretty acute problem.

Mr. JARMAN. Mr. Chairman, if the gentleman will yield further so that I may respond to the gentleman, the administration bill was an open-ended provision and simply provided for such funds as may be needed.

The figures to which you refer are figures the committee put into the bill as the program.

Mr. GROSS. Well, let me ask the gentleman this question.

Did the committee attempt to ascertain from the Bureau of the Budget the amount of funds that they thought would be necessary or should be used for this purpose and does this bill have the support of the administration?

Mr. SPRINGER. It did.

Mr. GROSS. Perhaps someone else can elucidate further.

Mr. JARMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in looking at our environmental problems, the Subcommittee on Public Health and Welfare determined that next to air pollution control, the problem of solid waste disposal and recycling was the most important problem to which the Congress should give its attention. Tremendously large sums are spent annually; namely, \$4.5 billion, to manage solid waste. Such waste is generated by industry, by households and by commercial establishments. At the present time, the methods of solid waste disposal and the collecting of solid waste are entirely inadequate. Most of this waste is either dumped or burned.

Therefore, it is imperative that we develop new and improved disposal methods as well as methods designed to reclaim usable materials or energy from such solid waste.

Our committee first became concerned with the problems of solid waste disposal in 1965 and, as a result of this concern, Congress enacted during that year the Solid Waste Disposal Act. While under this act a small beginning has been made, we must now push ahead much faster because if present collection and disposal methods are not improved, we shall not be able to dispose of solid waste which is expected to double by 1980.

Since the able chairman of our full committee, the gentleman from West Virginia (Mr. STAGGERS), has already touched on the highlights of this legislation, let me concentrate on some of the important provisions contained in this legislation. The bill calls for a special study and demonstration projects on recovery of useful energy and materials. Section 4 directs the Secretary of Health, Education, and Welfare to carry out an investigation and study to determine:

First, economical means of recovering useful materials from solid waste, recommended uses of such materials for na-

tional or international welfare, and the market impact of such recovery;

Second, appropriate incentive programs—including tax incentives—to assist in solving the problems of solid waste disposal;

Third, practicable changes in current production and packaging practices which would reduce the amount of solid waste; and

Fourth, practicable methods of collection and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse, or disposal of wastes.

The Secretary is directed to report the results of such investigation and study to the President and the Congress.

The Secretary is authorized to carry out demonstration projects to test and demonstrate techniques developed as a result of the study. The provisions contained in section 204 of the act relating to patents and information resulting from Government-financed research activities are applicable to such demonstration projects.

Next, the legislation would authorize planning grants to State, interstate, municipal, and intermunicipal agencies as well as metropolitan, regional, or district councils of government of not to exceed 66⅔ percent in the case of a project serving an area which does not include more than one municipality and not to exceed 75 percent in any other case, and not to exceed 50 percent of the cost of overseeing the implementation, enforcement and modification of such plans. Such planning grants are to be available for making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and developing solid waste disposal plans as part of regional environmental protection systems for such areas, including planning for the reuse, as appropriate, of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal site.

To qualify for planning grants, an applicant must meet the following conditions:

First, designate or establish a single agency as the sole agency to discharge for the area involved the responsibilities contemplated by this section;

Second, indicate how an areawide planning of effective solid waste disposal programs provision will be made for the consideration of such public health factors as population growth, urban and metropolitan development, land use planning, water and air pollution control, and the feasibility of regional disposal programs;

Third, set forth how the grant will be expended so as to carry out the purposes of this section;

Fourth, provide for submission of a final report by the agency on its activities, and for submission of such other reports and information as the Secretary may prescribe; and

Fifth, provide for appropriate fiscal control and accounting procedures.

Grants under this section shall be made only if the Secretary finds that the



planning will not duplicate, but will be coordinated with, other related planning activities.

Perhaps the most important provisions of this legislation are those authorizing construction grants to any State, municipality or interstate or intermunicipal agency for the construction of projects utilizing new and improved techniques of demonstrated usefulness in reducing the environmental impact of solid waste disposal, promoting the recovery of energy or resources, or the recycling of useful materials.

The program contemplated by this section is not a general grant-in-aid program entitling each State to a share in available grant funds. The program is an experimental one designed to assist in the financing of advanced solid waste disposal facilities within those States which have demonstrated a willingness to assume responsibilities for formulating comprehensive solid waste disposal programs for intrastate or interstate areas within their territories. Within the framework of such plans, municipalities may apply singly or jointly for grants for pilot projects utilizing new and improved techniques of solid waste disposal. Since it can reasonably be expected that different techniques will be suitable for municipalities of different sizes, in different locales and having different characteristics, such comprehensive State plans are expected to call for a number of different facilities to be constructed concurrently. If more than 10 eligible projects are applied for, the funds are to be distributed among at least 10 applicants. If grants for fewer than 10 such projects are applied for, the Secretary may use the funds for those eligible municipalities which have applied.

In the case of construction grants to a single municipality, the amounts of such grants shall not exceed 50 percent of the estimated reasonable cost of the project as determined by the Secretary. In the case of construction grants to more than one municipality, the amounts may be increased by an additional 25 percent of such cost. In either case, however, grants shall be made only if—

First, the applicant is unable to obtain such amounts from other sources upon terms and conditions equally favorable;

Second, the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project after completion; and

Third, the project is consistent with the purposes of the Federal Water Pollution Control Act and the Clean Air Act.

The Secretary may impose such additional conditions as he deems necessary to carry out his functions pursuant to this act.

In determining the desirability of projects and of approving Federal financial aid in connection therewith, consideration shall be given by the Secretary to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of the project to the public interest and to the

public necessity for the project and the use by the applicant of comprehensive regional or metropolitan area planning.

Not more than 15 percent of the total of funds appropriated for the purpose of this section in any fiscal year shall be granted for projects in any one State, and not more than 10 percent of the allotment to the State for any one project—except that if fewer than 10 applicants apply, each applicant must receive at least 10 percent. In the case of a grant for a program in an area crossing State boundaries, the Secretary shall determine the portion of such grant which is chargeable to the percentage limitation under this subsection for each State into which such area extends.

In order to make possible these new programs, the legislation authorizes substantially increased appropriations for the two departments which have responsibilities under this legislation—the Secretary of Health, Education, and Welfare and the Secretary of Interior. The Secretary of Health, Education, and Welfare has been given the primary responsibility for dealing with solid waste disposal problems. The Secretary of the Interior's responsibilities are limited to "problems of solid waste resulting from the extraction, processing, or utilization of minerals or fossil fuels where the generation, production or reuse of such waste is or may be controlled within the extraction, processing, or utilization facility or facilities and where such control is a feature of the technology or economy of the operation of such facility or facilities."

The amounts authorized to be appropriated to the Secretary of Health, Education, and Welfare are as follows: For the fiscal year ending June 30, 1971, not to exceed \$83 million; for the fiscal year ending June 30, 1972, not to exceed \$152 million; for the fiscal year ending June 30, 1973, not to exceed \$216 million.

The amounts authorized to be appropriated for the Secretary of Interior are as follows: For the fiscal year ending June 30, 1971, not to exceed \$17.5 million; for the fiscal year ending June 30, 1972, not to exceed \$20 million; for the fiscal year ending June 30, 1973, not to exceed \$22.5 million.

I hope the House will support this important environmental legislation because the problems presented by the tremendous increase in solid waste which our economy generates have to be met if our communities and our people are not to face disaster during the next decade. Unlike the Clean Air Act, this is not regulatory legislation. It is legislation pure and simple to generate new technologies at the earliest possible date for disposing of solid waste and for recycling useable wastes and to build pilot plants where these new technologies can be demonstrated. Our subcommittee has worked hard on this legislation and I believe it merits the full support of this House.

Mr. SPRINGER. Mr. Chairman, I yield as much time as he might consume to the gentleman from North Carolina (Mr. BROYHILL).

The CHAIRMAN. The gentleman from North Carolina is recognized.

Mr. BROYHILL of North Carolina. Mr. Chairman and members of the committee, I rise in support of this legislation, which can go a long way and do a great deal in helping to shed light on this problem of coming up with ways to reclaim waste material. Of the 50 or more millions of tons of paper and paperboard which are produced in the United States each year, only a very small percentage is reclaimed or recycled. The amount which is reclaimed and recycled today is largely the paper material which is clean, homogeneous, and concentrated in one place, such as an industrial location or what we might call commercial waste-paper. There is almost no paper reclaimed from municipal use, although half of such refuse consists of paper products.

I have figures before me which show that doubling the reuse of wastepaper alone, we could save 15 million cords of wood per year or the annual growth of 15 million acres of timberland. Of course, millions of tons of wood from urban sources are also discarded annually and systems for recovering and reusing these resources should be devised.

I would like to describe to the committee a project which is now going on at the Forest Products Laboratory in Madison, Wis. This is a cooperative project of the Department of Agriculture, the Department of the Interior, and the Department of Health, Education, and Welfare. This project is aimed at recycling wastepaper from raw urban solid waste through the development of more efficient recovery processes and, of course, trying to come up with a wider variety of end-product uses.

As I said, the Department of the Interior is cooperating in this project, the Department of HEW is cooperating with it, and work is being done at the Forest Products Laboratory at Madison, Wis.

I have in my hand a sheet of paper. Thirty percent of the fibers which were used to make this sheet of paper came from the Madison, Wis., city dump. It was reclaimed by the Forest Service research project there at Madison, and it was combined with the regular pulp-making process.

I would like to have the attention of the gentleman from Oklahoma and the gentleman from Florida (Mr. ROGERS) to comment on the role that the Department of Agriculture will be playing in this program.

The gentleman from Idaho has already been on his feet and has called to our attention the fact that the Department of Agriculture is not included by name in this legislation. Both in the old act as well as in the legislation we are considering today, it seems to me the Department of Agriculture should have a role to play because solid wastes are of great concern to agriculture and rural areas. I have described here a program in which the Department of Agriculture is cooperating with the two departments named in the bill. The Department of Agriculture does have a role to play, they are, of course, vitally interested in the producing and processing and transportation and marketing of farm and forest products, as well as in the viability and attractiveness of farm communities be-



low 5,000 in population, as well as in the public health and well-being of the population in rural areas.

There are many areas in which the Department of Agriculture would be interested in the waste disposal program. One example is the urban disposal system which is in use in so many cities today, which is to get landfill sites out of sight into the countryside, and this, of course, is of great concern to rural America.

I would hope we could add an amendment to this bill which would give the Department of Agriculture its rightful recognition so they could share in some of the appropriations that will be made possible by this bill.

I will yield now to the gentleman from Florida for any comments he might wish to make.

Mr. ROGERS of Florida. Mr. Chairman, I appreciate the gentleman yielding.

The gentleman has made some very valid points. We had discussed this before the debate began and had come to substantial agreement that the Department of Agriculture does play a very substantial role in trying to meet this problem of solid waste disposal.

I would refer the gentleman to the intent of the committee which is in the original law in section 204(a) regarding research, demonstrations, training, and other activities. Here it states that the Secretary of HEW will cooperate and will consult and try to work together not only with Agriculture but also with other departments of Government which are involved in trying to help solve this problem. For instance, as I am sure the gentleman knows, it will include not only HEW, but also Interior, which is involved, and Agriculture, and the Department of Housing and Urban Development, as well as the Department of Commerce and the Department of State, and the Department of Defense, and some other departments.

What we said in the original bill certainly does make clear the intent that we expect the Secretary to consult with the Secretary of Agriculture as well as the Secretary of Defense and these other departments to try to have a coordinated attack.

We have centered responsibility in the Secretary of HEW, and we allow Interior to come in on it, but still HEW is the central force, and he is to consult, as the gentleman has suggested, and it should be well to recognize the role of the Department of Agriculture also.

Mr. BROYHILL of North Carolina. I thank the gentleman for his comments.

Mr. Chairman, earlier I obtained permission to include extraneous matter with my remarks, and I include at this point material setting forth the role of the Department of Agriculture in this overall area, listing the number of projects they have ongoing at this time and their tremendous interest in and the tremendous amount of work they do in this area. Also I include the Department of Agriculture testimony before the Senate Committee on Public Works in regard to a similar Senate bill.

The material referred to follows:

#### AGRICULTURE RELATED SOLID WASTES

Solid wastes are of great significance to agriculture—to producing, processing, transporting, and marketing farm and forest products; to the viability and attractiveness of rural communities; to public health and well-being; to recreation; and to the utility and esthetic quality of the countryside. In addition to the vast quantities of solid waste resulting from agriculture and agribusiness, the urban disposal system with its many sites being in the countryside is a concern of rural America.

Programs of USDA and its cooperators at State and local levels relating to solid wastes include programs of research, education and information, technical assistance, cost-sharing and loans and grants. In addition, the Department deals with growing solid waste problems due to increased use of the Federal lands and facilities the Department administers. The Department's cooperative programs relate to (1) urban and industrial wastes produced in communities under 5,500 population, (2) wastes from industrial processing of raw agricultural and forestry products, (3) agricultural wastes associated with farm, forest and ranch production processes; e.g., animal wastes, forest and crop residues, and pesticide containers, and (4) urban and industrial wastes from which raw agricultural materials may be reclaimed. In addition to these activities oriented to agriculture-derived wastes, USDA has (5) a broad base of technical competence for dealing with land management aspects of rural disposal sites receiving solid wastes from all sources.

The Department's long-standing cooperative research programs with land grant colleges and universities and other institutions include studies of ways to reduce, control, use or dispose of such solid wastes as animal manure, forest slash and excess straw and wastes from plants which process raw agricultural commodities. In addition, research is underway on ways to economically recover agricultural raw materials from urban solid wastes; e.g., wood fibers from discarded paper products. The research includes studies of effective means for returning wastes to the soil where they are produced and the disposal of processing wastes in areas away from the processing plants. These programs also include the development of information leading to new and improved processing methods to more fully utilize raw materials and byproducts. Associated with the farm, forest, and processing plant approaches are efforts to modify the inherent characteristics of raw agricultural commodities to reduce solid wastes originating with those commodities.

USDA and State education and information programs utilize a nationwide agricultural extension service organization to bring the latest knowledge and methodology to enterprises and individuals whose activities or ownerships lead to solid wastes production.

Technical assistance in resource development and use is provided nationwide. In many situations this includes help for developing solid waste disposal practices. This assistance is available to local communities; cooperatives; nonprofit associations; landowners and operators in Soil and Water Conservation Districts; State and private forests; and food and fiber processing plants.

Project measures included in Resource Conservation and Development Projects often involve the problems of solid waste disposal. The Department provides technical assistance in the interpretation of soil survey information for use in locating suitable disposal sites.

The Department may share up to 50 percent of the cost of basic facilities required

for health, safety, use and access to public recreation and fish and wildlife developments in small watershed projects. This may include facilities for collection and disposal of solid waste such as trash and garbage. All sanitary and waste disposal facilities must comply with State and local health standards and regulations.

Some of the practices cost-shared under the Agricultural Conservation Program are useful to farmers in the safe management of animal wastes. Many vegetative cover practices and erosion control structures can serve multiple purposes by helping to use up such wastes when they are diverted to or spread on the land. Or erosion control or water management structures may divert wastes away from streams. Among such ACP practices are the establishment of buffer or filter strips and fields, terrace systems, or diversions into erosion control or water spreading structures and areas or into woodland.

The Department of Agriculture has requested authority to use some Agricultural Conservation Program funds for pollution control practices which also have soil or water conservation benefits. This authority was granted by P.L. 91-127. Related authority was included in P.L. 91-118.

The Department of Agriculture makes and insures loans and grants to associations, including corporations not operated for profit, and public and quasi-public agencies to provide for the installation or improvement of waste disposal facilities in rural areas. These loans and grants may include facilities for the collection, treatment, or disposal of human, animal, and other wastes. They may involve collection lines, treatment plants, outfall lines, disposal fields, stabilization ponds, storm sewers, garbage trucks and equipment, sanitary landfills, and incinerators. Rural areas are defined as areas which do not include any area in any city or town which has a population in excess of 5,500 inhabitants.

Financial assistance is also provided in the form of loans to individuals to purchase equipment and install facilities to properly dispose of domestic, animal, and crop and forest residues.

The Department of Agriculture now has an on going program whereby grant assistance can be provided in amounts up to 50 percent of the development cost of a waste disposal system. Since this authority was granted in 1965, more than 700 waste disposal systems requiring approximately \$125 million in loans and \$40 million in grants, have been financed by the Department of Agriculture. USDA also has an on going grant program for comprehensive area planning of the development of water and sewer systems in rural areas. Grants authorized by this Department can be made up to 100 percent of the cost of water and sewer planning.

The Department has more than 3000 county offices throughout the United States. The employees in these offices know the community leaders and their problems and are trained to provide assistance in developing waste disposal facilities and coordinating their development with the development of other facilities in the area. With its many years of experience in working with rural communities, and with the many Department representatives available to help local people solve their problems, the Department of Agriculture is in a better position to provide technical and financial assistance for waste disposal facilities needed in rural areas than any other agency.

The Department's authority and responsibility for research, education, and action programs concern the countryside—the people and renewable resources of rural America. In addition, those programs concern several



aspects of urban America, such as erosion control and drainage in new housing and industrial developments and the many types of vegetation that enhance our streets, lawns, and parks. USDA programs vitally affect the conservation and management of the bulk of the Nation's land, water, and related biological, recreational, and esthetic resources.

Solid waste problems associated with or related to agriculture and the countryside fall into three distinct categories:

1. Those wastes originating on farms and in rural communities.
2. Those wastes originating in urban areas but which are disposed of in the countryside.
3. Urban and industrial wastes (derived from agricultural raw materials) that can be recycled and reused.

Ultimately the greatest need for all these wastes is the recycling and reuse of them to the fullest extent possible.

The most pressing problems of concern to the Department of Agriculture include:

1. Animal wastes;
2. Sediment, a waste in solid form when it comes to rest;
3. Wastes from industrial processing of raw agricultural products;
4. Urban and industrial wastes from which agricultural materials may be reclaimed or used;
5. Waste disposal sites;
6. Solid wastes from rural communities;
7. Forest and crop residues;
8. Trash and garbage discarded indiscriminately in the countryside; and
9. Unusable pesticides and containers.

USDA objectives are to prevent or minimize production of agriculture-related wastes, and to improve the handling, treating, storing, and disposal of these wastes. We want to use, reclaim, and reuse as much waste material as is possible. Underlying the objectives is the goal of minimizing the adverse impact of solid wastes on the environment, and enhancing the environment wherever possible.

The U.S. Department of Agriculture has competency in solution of many of these waste problems among which are the following:

1. Handling animal wastes in such a way as to keep them out of lakes, streams and other unwanted areas and to control odors and other esthetic problems.
2. Preventing sedimentation and other erosional debris which creates serious waste disposal problems in rural and urban areas alike.
3. Managing solid wastes arising from processing of raw agricultural products.
4. Recovering and reusing agriculturally-derived raw materials from urban and industrial wastes; e.g., wood fiber from the more than half of such trash that is paper.
5. Site or facility selection and development, management and rehabilitation of landfills, lagoons and other means of disposing of solid wastes in the soils of the countryside. This includes soil survey, analysis, and interpretation to determine assimilative capacity of various soil types of solid wastes without serious contamination.
6. Minimizing damage from burning or otherwise disposing of forest and crop residues and other organic refuse.

#### APPROPRIATE SOLID WASTE ROLE FOR THE DEPARTMENT OF AGRICULTURE

USDA's appropriate role in dealing with solid waste problems is to cooperate with and assist State and local governments and their agencies and institutions, quasi public agencies, cooperatives, nonprofit associations, industry, and private citizens by providing the following:

Results of research and development (R&D);

Extension education (Edn.);  
Technical assistance (Tech. Asst.);  
Financial assistance (Fin. Asst.): Cost-sharing, Grants, and Loans; and  
Criteria for developing standards (Based on R&D and experience gained through action programs).

Further, the Department will continue to deal with solid waste aspects of managing the Federally-owned lands under its jurisdiction (Mgmt. Fed. lands).

#### DEPARTMENT OF AGRICULTURAL SOLID WASTE PROGRAMS AND RESPONSIBILITIES

USDA solid waste programs relate to:  
Animal wastes (R&D, Edn., Tech. Asst., Fin. Asst.);

Forest and crop residues (R&D, Edn., Tech. Asst., Fin. Asst., Mgmt. Fed. Lands);

Wastes from industrial processing of raw agricultural materials (R&D, Tech. Asst.);

Urban and industrial wastes produced in communities under 5,500 population (Fin. Asst.);

Discarded products derived from raw agricultural materials (R&D);

Unusable pesticides and containers (R&D);

Site or facility selection and development, management and rehabilitation from landfills, lagoons and other means of disposing of solid wastes in the countryside (R&D, Edn., Tech. Asst., Fin. Asst., Mgmt. Fed. lands);

Trash, garbage, and other people wastes deposited in the countryside (Edn., Tech. Asst., Fin. Asst., Mgmt. Fed. lands); and

Sediment, as a waste in solid form when it comes to rest (R&D, Edn., Tech. Asst., Fin. Asst., Mgmt. Fed. Lands).

Objectives of these activities are:

Preventing or minimizing production of agriculture-related solid wastes;

Handling, treating, or storing agriculture-related solid wastes or those from small communities and the countryside;

Utilizing agriculture-related solid wastes from all sources: a. Directly; and b. Reclamation and reuse of agricultural raw materials.

Disposing of all kinds of solid wastes with minimum assault upon the environment or with the potential of enhancing it; and

Preventing or minimizing erosion from all sources to control sediment deposition.

The Problems that USDA programs address themselves to are described briefly:

**Animal Wastes.**—The volume of wastes from livestock, and poultry production is estimated at 1.7 billion tons annually. Increasingly, animals are produced in large feedlots and other points of concentration raising major waste handling and disposal problems. Animal wastes are a concern in the abatement of water, air, and soil pollution. They may be associated with pollution of lakes, fishkills, nitrate contamination of soil and aquifers, off flavors, annoying odors and dusts, dissemination of infectious agents to animals and man, depreciation of recreational values of land and streams and reproduction of insect pests.

**Forest and Crop Residues.**—The annual accumulation of forest and crop residues has been estimated to be about 575 million tons. These residues result from harvesting operation and natural accumulations, including pest damage and natural deterioration. Forest and crop residues can be serious contributors to air, soil, and water pollution. They serve as reservoirs of plant diseases, insects and rodents, and, if burned, contribute great quantities of smoke.

**Wastes from Industrial Processing of Raw Agricultural Materials.**—The total load of pollutants produced by the agricultural and forestry processing industries of food, textiles, leather, pulp, paper, wood products,

and industrial chemicals is estimated at 25 to 50 percent of the raw materials entering the plant. Large amounts of the solid portions of these wastes are returned to the land, often times with the land serving as a convenient nearby sink. The effectiveness of available methods and equipment for processing the total raw materials and often the nature of the raw materials themselves have much to do with the value and marketability of raw agricultural materials.

**Urban and Industrial Wastes Produced in Communities under 5,500 Population.**—The well being and development potential of small rural communities are closely linked with the adequacy of basic community services. Financial and other assistance is needed for meeting the solid waste problems of rural communities that lack adequate resources to do the full job.

**Discarded Products Derived from Raw Agricultural Materials.**—A major portion of the nation's solid wastes are products derived from raw agricultural materials. Recycling of these materials has great significance as an approach to solid waste problem. Wood fiber is a case in point.

Fifty million tons of wood fiber in the form of waste paper products are discarded in municipal trash each year in the United States. Eighty percent of this is disposed of by incineration, composting or landfill resulting in a waste of a potential source of wood fiber, and the pollution of air, water, and land with a particular impact on potential agricultural land. The Department of Agriculture has a vital interest in re-using this paper to abate pollution, enhance our economy and self-sufficiency and to conserve timber. The annual volume of unused waste paper in the U.S. is equivalent to 80 million cords of wood or the annual growth of from 80 million acres of timber land.

**Unusable Pesticides and Containers.**—Large concentrations of industrial pesticide wastes and smaller amounts of despoiled pesticides pose extremely difficult disposal problems. Likewise, millions of empty pesticide containers add to the potential for polluting the environment. Decontamination, destruction or other disposal of unusable pesticides and containers are major unsolved problems.

**Site or Facility Selection and Development, Management and Rehabilitation of Landfills, Lagoons, and other Means of Disposing of Solid Wastes in the Countryside.**—There are numerous examples of a lack of adequate technical assistance for locating, constructing, and operating solid waste disposal systems in the countryside. Failure to take into account inherent soil characteristics and other definable environmental considerations and the lack of comprehensive land use plans usually lead to unsightliness and pollution, with undesirable consequences for surrounding areas.

**Trash, Garbage and Other People Wastes Deposited in the Countryside.**—Ever growing numbers of people are visiting the countryside—national forests, lakes, streams and other scenic and recreational areas and facilities. These ever-increasing activities add to solid waste accumulations. These require organized collection and disposal efforts.

**Sediment as a Waste in Solid Form When It Comes to Rest.**—Sediment is defined as solid material, both mineral and organic, that has been moved from site of origin by water, ice, air or gravity. When sediment comes to rest in unwanted places, it becomes a solid waste. On the average 4 billion tons of soil material are moved from place to place each year. A major portion of it comes to rest in areas where it is considered a harmful solid waste material.

In quantity sediment constitutes the Nation's greatest single solid waste material. To control it means keeping soil in place.



STATEMENT OF NED D. BAYLEY, DIRECTOR OF AGRICULTURE, BEFORE THE SUBCOMMITTEE ON AIR AND WATER POLLUTION, COMMITTEE ON PUBLIC WORKS, UNITED STATES SENATE, ON S. 2005, RESOURCE RECOVERY ACT OF 1969, ON OCTOBER 1, 1969

Mr. Chairman and Members of the Committee:

Solid waste disposal and natural resource recovery are of vital concern to the programs and responsibilities of the Department of Agriculture. Thank you for this opportunity to present the views of USDA as part of your consideration of S. 2005 and related legislation.

Although the Department of Agriculture supports the objectives of S. 2005, we recommend that only an extension of the present authorities in the Solid Waste Act be enacted. Because our responsibilities for non-renewable materials are limited, we have no comment on proposed Amendment No. 153 to S. 2005. The report of the Department of Agriculture on S. 2005 points out that we believe existing authorities available to USDA and other Federal Departments generally can give appropriate emphasis to solid waste disposal.

I would like to describe for you the ongoing solid waste efforts of the Department of Agriculture, and briefly discuss our various waste disposal programs.

The Department of Agriculture is the principal Federal Department with authority and responsibility for programs concerned with Rural America—its people and its resources. We are charged not only with assuring a continuing supply of food and fiber to meet America's needs, but with maintaining a healthful, viable and attractive countryside for the benefit of urban and rural people alike.

This mandate directly involves us in the solid waste problem. The production, processing, transportation, and marketing of farm and forest products creates vast quantities of solid wastes. Disposal of these wastes, and those brought to the countryside from urban areas, directly affects the beauty and utility of rural areas.

There are several kinds of solid wastes and related pollutants we have to deal with.

According to our understanding of the definition of solid wastes as set forth in the Solid Waste Act, the most pressing problems of concern to the Department of Agriculture include:

1. Forest and crop residues;
2. Waste from industrial processing of raw agricultural products;
3. Animal wastes;
4. Unusable pesticides and containers;
5. Solid wastes from rural communities;
6. Trash and garbage discarded in the countryside;
7. Urban and industrial wastes from which agricultural materials may be reclaimed or used; and
8. Waste disposal sites.

Our objectives are to prevent or minimize production of agriculture-related wastes, and to improve the handling, treating, storing, and disposal of these wastes. We want to use, reclaim, and reuse as much waste material as is possible. Underlying the objectives is the goal of minimizing the adverse impact of solid wastes on the environment, and enhancing the environment wherever possible.

We use various mechanisms in carrying out our solid waste disposal programs. There are both direct and cooperative programs of research, as well as education, information, technical and financial assistance including cost sharing. Under our financial assistance authorities, loans and grants have been made to local communities, non-profit associations and others in rural areas for solid waste handling and disposal. We also deal directly with growing solid waste problems arising from lands and facilities adminis-

tered by the Department of Agriculture—including the 187 million acre National Forest System.

Most of our solid waste programs are described in the appendix to our report on S. 2005. I will highlight a few of these for you to illustrate how we are using the various program mechanisms to solve specific solid waste problems.

**Forest and Crop Residues.**—The annual accumulation of forest and crop residues has been estimated to be about 575 million tons. These residues result from harvesting operations and natural accumulations, such as pest damage and natural deterioration. Forest and crop residues can be serious contributors to air, soil, and water pollution. They serve as reservoirs of plant diseases, insects and rodents.

Our research on this solid waste problem includes: breeding of crop and tree varieties and improvement of culture practices to minimize residues; methods of decomposition of crop residues; more efficient methods for disposal of logging waste; and ways to use greater amounts of logging and wood manufacturing wastes.

Our action program on disposal of forest and crop residues includes: prescribed burning of residues in National Forests to prevent wildfire; cost sharing conservation measures which utilize crop residues; and education and information activities—instruction, training, publications and visual aids—that combine up-to-date technology with day-to-day agricultural practices.

We are assisting victims of hurricane Camille through the Emergency Conservation Program by providing financial assistance up to 80 percent of the cost for removing debris from crop and pasture lands, orchards, and forests.

**Animal Wastes.**—The animal waste problem is massive. It involves land, water, and air pollution. Corrective technology must not only meet increasingly stringent environmental quality criteria and assure no interference with product wholesomeness but it also must be within production costs that the consumer is willing to pay.

Some of our cooperative USDA and State Agricultural Experiment Station research is directed to the development of needed new technology. We are working on the disposal of wastes from swine, poultry, beef, and dairy operations. We are investigating means by which greater use may be made of agricultural cropland and other land sources in the disposal of animal wastes. Other uses of animal wastes are also being explored.

Within our overall financial assistance programs, we have made loans and grants for animal waste disposal systems. Our educational and technical assistance programs involving such agencies as the Cooperative Extension Service and the Soil Conservation Service have been working closely with livestock producers and pollution control officials to bring about ameliorization of pollution through existing technology.

**Solid Wastes From Rural Communities.**—The well-being and development potential of small rural communities are closely linked with the adequacy of basic community services. In planning and developing these services for communities lacking adequate resources to do the full job on their own, we consider the need for financial and other assistance to meet solid waste problems.

USDA grant assistance can be provided to communities under 5,500 population in amounts up to 50 percent of the development cost of a waste disposal system. Grants can also be made up to 100 percent of the cost of comprehensive area planning of development of water and sewer systems in rural areas. To dovetail Federal waste disposal assistance programs, we joined other Departments in developing an effective coordination system. This includes the use of a common,

uniform grant application form that not only simplifies grant applications but avoids overlapping and duplication of various agency programs.

**Reclaiming Raw Materials.**—Fifty million tons of wood fiber in the form of waste paper products are discarded in municipal trash each year in the United States. Eighty percent of this is disposed of by incineration, composting or landfill resulting in a waste of a potential source of wood fiber, and the pollution of air, water, and land with a particular impact on potential agricultural land. The Department of Agriculture has a vital interest in re-using this paper to abate pollution, enhance our economy and self-sufficiency and to conserve timber. The annual volume of unused waste paper in the United States is equivalent to 80 million cords of wood or the annual growth of from 80 million acres of timber land.

Our research program is developing practical ways to recover usable wood fiber from waste paper in municipal trash. The proposed system consists of shredding and pulping raw unsorted trash as it comes from the home to the collection point. This research, in its beginning stages, is proving workable and useful in complementary research activities of HEW and the Bureau of Mines. Research has also developed comprehensive knowledge of the physical nature and mechanical properties of packaging and other materials derived from agriculture and forestry. We also have the capabilities to study decomposability and destructibility of these materials.

I hope these few examples and the information in our report on S. 2005 will be useful to your Committee.

Agricultural and forestry enterprises have always borne the cost of disposing of wastes such as manure and forest slash. To the extent that these activities are intensified or new constraints are involved, our Nation must have new technology in order not to place undue burdens on production costs and on the ultimate costs to consumers. Capital investment requirements for some pollution abatement and solid waste agricultural and forestry handling operations have necessitated Federal assistance programs in the past and this need will grow in the future. Research programs must be properly oriented and supported to meet the resource management and recovery demands of the future.

I believe that I have described the involvement of the Department of Agriculture in conducting, planning, and coordinating the Federal solid wastes program. The Department is represented on a Solid Wastes Committee that was recently created by President Nixon's Environmental Quality Council. Through the mechanisms of this committee and other working groups, we are contributing our resources and talents in the solid wastes field to a total Federal effort directed at this pressing environmental problem.

Mr. McCLURE, Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of North Carolina. I yield to the gentleman from Idaho.

Mr. McCLURE, Mr. Chairman, I commend the gentleman for raising the issue which I had some reference to earlier in calling to the attention of the House the role which the Department of Agriculture through the United States Forest Service and the Forest Products Laboratory at Madison, Wis., has been playing in the development of techniques by which wastes can be recycled. I have been to the laboratory and have seen the work they have been doing and have been told of other experimental work which includes automatic mechanical



separation of waste products in the ordinary run of garbage going to the disposal site and the separation of those parts of it which are susceptible of recycling into paper.

The example the gentleman gives and the paper he showed the House just now is the result of that kind of very forward looking research on the part of the Forest Products Lab in Madison, Wis.

It strikes me that the rather advanced technology which they have done on a rather experimental basis at that laboratory should have been recognized by specific appropriation to the Department of Agriculture. I am aware, as the gentleman from Florida stated, that there is a general provision in this bill for cooperation with other agencies by the Secretary of HEW, but there is a certain amount of realism necessary in respect to parochial jealousies between Departments of the Federal Government which may not bode well for the rather advanced role I believe the Department of Agriculture is capable of playing.

Again I commend the gentleman from North Carolina for bringing this matter to the attention of the House. It is a very significant contribution on his part.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of North Carolina. I am delighted to yield to the gentleman from Texas.

Mr. WHITE. I should like to call attention to what may be an omission in the bill.

On page 6 of the report there is language relating to communities and States wherein there are not at least 10 applications. The language reads:

If more than 10 eligible projects are applied for, the funds are to be distributed among at least 10 applicants. If grants for fewer than 10 such projects are applied for, the Secretary may use the funds for those eligible municipalities which have applied.

Then going over to page 14 of the report of the committee, which relates to section 208, subsection (d) (2) it says:

Of the sum granted for projects in any one State in any fiscal year, not more than 10 per centum shall be granted in such year for any single project in such State; except that in the case of a State for which less than 10 project applications which meet the requirements of this section have been submitted (prior to such date as the Secretary shall prescribe) for a fiscal year, at least 10 per centum of such sum shall be granted for each such project.

I believe that the committee has failed to put in there that in such event there are fewer than ten applications in such a State then the amount shall be divided among the applicants, instead of limiting it to 10 percent. In the case of, let us say, Nevada or Wyoming, where they do not have many large communities, there may be only three or four applications. If we confine them to 10 percent, with only three applications there would be 70 percent of the funds sitting there that could not be used in that State for the particular period.

Mr. BROYHILL of North Carolina. I appreciate the gentleman's contribution. I should like to yield the floor and let the gentleman from Florida, the gentleman from Oklahoma and the gentleman from West Virginia respond.

Mr. WHITE. I believe the intention is probably set forth in the descriptive language earlier in the report, and that the intention is to divide it, but I believe it needs to be in the language of the bill.

Mr. BROYHILL of North Carolina. I thank the gentleman.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume.

In response to the gentleman from Texas, I should like to say I thank him for making legislative history on the bill. This was put into the report to amplify the provision in the bill:

If grants for fewer than 10 such projects are applied for, the Secretary may use the funds for those eligible municipalities which have applied.

This particular problem was referred to in committee by the gentleman from Illinois. I believe he used Chicago as an example. He wanted to prevent Chicago from taking all the funds, without other applicants getting any. We amended the bill and we agreed to add this language in the report.

Mr. WHITE. The gentleman does not feel it needs to be in the language of the bill?

Mr. STAGGERS. No; I do not.

Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. ROGERS).

(Mr. ROGERS of Florida asked and was given permission to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Chairman, I thank the gentleman for yielding.

I rise in support of this legislation. I believe Members will find that the public in their districts feel that this is one of the most significant pieces of legislation this Congress will pass.

We have not yet realized in this country, although a realization is coming about very quickly, the significance and the extent of the solid waste problem. We annually throw away in this country over 3.6 billion tons of waste, and it is costing us over \$4.5 billion a year. We must have new techniques because we are simply running out of places and ways to handle the waste.

The administration testified that we can expect to double the amount of waste thrown away in this Nation within 8 to 10 years and there will be so much that we will not be able to build enough trucks to cart it away. So it is a very pressing problem that lives with every family in this Nation every day.

Now, there may be some areas in the Nation where they do not have too much of an air pollution problem, there may be some places in the Nation where they do not have too much of a water pollution problem—there may be no water or lakes around them—but you can be certain in every part of the Nation there is a problem of solid waste disposal.

We know that if we do not dump untreated wastes into our waters and if we halt runoff, then water pollution will stop. And we have the technology to greatly cut back on air pollution.

But as to this point in time, we do not have the technology to make our garbage disappear without leaving some unsavory byproduct. We still dump, burn or bury

our solid waste. And we are running out of places to do this.

H.R. 11833 amends the Resource Recovery Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs in the realm of solid waste disposal and recycling methods, to establish special study and demonstration projects on recovery of useful energy and materials which have been discarded as solid waste, and to establish standards for solid waste collection and disposal systems.

Mr. Chairman and colleagues, it is estimated that more than 3.5 billion tons of solid wastes are being thrown away in this country every year and that the annual cost of handling and disposing of these wastes amounts to \$4.5 billion. Annually, more than 360 million tons of industrial, municipal, and commercial solid waste are being generated and this amount is expected to double by 1980. It is also estimated that within a few years, Americans will discard each year more than 30 million tons of paper, 4 million tons of plastics, 48 billion cans, and 26 billion bottles.

During the past 30 years, solid wastes have been deposited by mining, milling, and processing to the extent that some 7,000 square miles of land have been covered or damaged—an area six times the size of Rhode Island.

In the most advanced, prosperous society man has ever known, I find it at best ironic and at worst inexcusable that at this point in time we are a nation capable of aiming rockets at the moon while we stand knee deep in garbage, surrounded by polluted air and water—all of which we have created ourselves.

We have in effect, conquered the atom and outer space, but we are still stumped by the tin can and plastic bottle. American ingenuity has found it financially beneficial to involve itself with heavy packaging of its products and commodities so that often, the amount of material used in the packaging takes up more space than the product enclosed. We have dish detergents for a week's use in the kitchen, packaged in plastic containers which apparently may outlive all of us unless we develop more sophisticated methods of disposing and recycling solid wastes.

We may be passing the age of packaging drinks in returnable bottles which could be reused, and now are in the phase of throwaway bottles and flip-top cans. This trend toward convenience packaging is creating new problems for solid waste disposal which has changed the overall picture in our Nation in regards to the effectiveness of our present law in dealing with the problems. In every State of the Union, garbage and solid waste is being carted off as best as possible considering the present form of the law, and present methods of disposal. But, we have reached the point where we must find a major breakthrough in our handling of the problem if we want to live in a clean environment.

Most of the \$4.5 billion spent annually in our Nation goes for collecting solid waste and transporting it to some place where it is dumped or burned, and most



of the disposed solid waste goes to open dumps. Ninety-four percent of these dumps are inadequate to handle the large volume of wastes. Since the dumps are not always covered daily with dirt, they contribute extensively to water pollution of nearby streams, lakes, and rivers. Their burning of wastes also contributes heavily to air pollution, as does the municipal incinerator, which usually does not have antipollution devices, on its smokestacks. It is estimated that 75 percent of our municipal incinerators are inadequate to handle the disposal of the large volume of solid wastes.

If present collection and disposal methods are not improved, we will never solve our Nation's pollution problems. We must develop new technologies for disposing, reclaiming, and recycling materials in solid waste. We must also investigate the possibility of using solid wastes as a possible source of energy. We must also develop new methods of product packaging in order to reduce the amount of such waste disposed and to facilitate the disposal thereof.

Research and the development of new technologies to handle the problems of solid waste disposal is costly and our present level of funding for these programs is grossly inadequate to meet the needs of the problem.

The purpose of H.R. 11833 is: First, to expand and intensify the development of new technologies for solid waste disposal; second, to promote greater initiative on the part of the States in assuming increasing responsibilities for solid waste disposal programs; third, to stimulate the construction by States and municipalities of pilot facilities utilizing new and improved waste disposal technologies, and fourth, to conduct studies to determine economical means of and appropriate incentives for recovering useful materials and energy from solid waste, reducing the amount of such waste and facilitating the disposability of that waste through improved production and packaging practices.

The solid waste bill now on the floor will achieve these objectives through: First, studies, investigations, and demonstration projects conducted by the Secretary of Health, Education, and Welfare; and second, by construction grants to States and municipalities as well as interstate and intermunicipal agencies to contribute to the financing of pilot facilities utilizing new and improved technologies if the construction of such facilities is part of a State or interstate plan for solid waste disposal and is included in any comprehensive plan for the particular area or areas involved.

H.R. 11833 authorizes appropriations for a 3-year extension of the Solid Waste Disposal Act. Sums are authorized to be appropriated to the Secretary of Health, Education, and Welfare in amounts up to \$83 million for fiscal 1971, \$152 million for fiscal 1972, and \$216 million for fiscal 1973. Sums are authorized to be appropriated to the Secretary of the Interior in amounts up to \$17.5 million for fiscal 1971, \$20 million for fiscal 1972, and \$22.5 million for fiscal 1973.

These sums represent drastically needed authorization levels to effectively meet the problems encountered by solid

waste disposal. These sums are to be used for research, special study and demonstration projects, interstate and intermunicipal projects for solid waste disposal, grants for local, State, and interstate planning, and major construction grants to States, municipalities, or interstate and intermunicipal agencies to be used to build solid waste disposal and resource recovery facilities or to expand and improve existing facilities.

H.R. 11833 embodies several new sections to accomplish the purposes I have stated a few minutes ago. Section 205 would direct the Secretary of Health, Education, and Welfare to establish special study and demonstration projects on recovery of useful energy and materials, and to report the results of these investigations to the President and the Congress. Also new, section 207 authorizes planning grants to State, interstate, municipal, and intermunicipal agencies. These grants can be made for up to two-thirds of the costs for a project serving an area which does not include more than one municipality and up to three-fourths of the cost of a project which serves an area of two or more municipalities. An amount up to 50 percent of the cost of overseeing the implementation, enforcement, and modification of any project plan or proposal is authorized, in this section. Grants under this section are to be made if the Secretary of Health, Education, and Welfare finds that planning will not duplicate, but will be coordinated with other related planning activities.

Another new section is section 208 of the act which will provide grants to any State, municipality, or interstate or intermunicipal agency for the construction of projects utilizing new and improved techniques of demonstrated usefulness in reducing the environmental impact of solid waste disposal, promoting the recovery of energy or resources, or the recycling of useful materials. Such grants to a single municipality can be made up to 50 percent of the estimated cost of the project as determined by the Secretary and can be increased by an additional 25 percent in the case of more than one municipality sharing or benefiting from the project.

An additional very important new section is section 209 which directs the Secretary of Health, Education, and Welfare, within 18 months following enactment of this act, to recommend to the appropriate agencies standards for the collecting and disposing of solid waste materials, including systems for private use, which are consistent with health, air, and water pollution standards and which can be adopted to applicable land use plans. These standards are to be developed in cooperation with appropriate State, interstate, regional, and local agencies.

If future generations of Americans are to inherit adequate, economical supplies of our natural resources, we must find new methods of disposing of solid waste materials more efficiently and more safely so that our environment will not be harmed during the disposal process. We must also encourage new design of material in packaging from a disposable standpoint. Lastly, we must realize that

we are the source of solid waste; we are the litterers and polluters; and only we can help solve the problems of solid waste pollution and other forms of pollution by our attitudes and awareness of the problem. The individual must do what he can in an effort to refrain from adding to the solid waste problem. Congress at the same time, must give the Nation a comprehensive and effective program, and finances to support that program, to act as a means to enable our cities and rural areas to maintain a clean and safe environment for us to live in.

This bill is trying to solve that problem in a realistic manner. I urge the support of this measure.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I will be glad to yield to the gentleman.

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding and I appreciate his statement.

I think that whether we call this the Reclamation and Recycling Act or the Resource Recovery Act or the Solid Waste Disposal Act—or whatever we call it—we do need to do some study and research to determine whether we are going to burn it up, or plow it under, or recycle it, or use it again like the Chinese have for hundreds of centuries, or what-not. There is much good about this bill, and I want that understood before I comment further.

I think I have determined after careful review of the hearings and the committee report, why there are no departmental views in the report. This is simply because we are considering H.R. 11833 instead of H.R. 15847 or H.R. 15848. There is much deposition and there are many statements about different bills all through the hearings, as the gentleman himself pointed out to me on page 2. Then it refers to what the Surgeon General of the United States said; however, when you turn to that, he was not referring to solid waste disposal at all, but referring to the Clean Air Act. Then you turn to what the former Secretary of Health, Education, and Welfare stated, and he was not referring to this bill at all, but he was referring to the bill H.R. 15847.

Now, I do not want to quibble over words or testimony, but there is a great deal of difference in the administration's views which are missing in the committee report, and there is a question about the budget as well as the moneys that are capable of being expended. Nowhere in the hearings does it say that this is budgeted or is within the capability of either the Department of the Interior or the Department of Health, Education, and Welfare to expend wisely in the first year, second year, or whatever the authorization of these funds. It does say that they will continue as authorized until expended. The committee very wisely limited in the next 3 years the amounts that shall be spent unless, indeed, they are excessive. We have no testimony to the contrary from any of the departments.

Could the gentleman from Florida explain whether or not there was in fact any testimony or departmental views or



Bureau of the Budget statement at any time about H.R. 11833 as such?

Mr. ROGERS of Florida. Well, actually they had prepared their statement on H.R. 15847, which Mr. Finch presented to the committee on page 284. This covered the whole subject. He also, of course, talks about other bills, but mainly it is geared to this testimony on H.R. 15847—Solid Waste Disposal—and H.R. 15848—the Clean Air Act.

These bills were considered at the same time and dealt with the subject of clean air and solid waste. We received the statements on both of these bills for the convenience of the Department at one time. We have covered the Department's position in the testimony of the witnesses, and it is extensive testimony that I think the gentleman will find in the hearings for developing the program. Also, we asked the Department to present how the moneys would be spent. Now they have presented this information to the committee, some of which is found in the report.

So they have outlined for us how this money would be spent, what could be done, and it has been gone into, I feel, very thoroughly. I think the gentleman from Missouri will be pleased with the legislation. It is necessary. It is a continuation, I am sure the gentleman knows, of ongoing programs.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, I, too, have read in detail the page cited by the gentleman, which is directed toward H.R. 15847 and which deals with solid waste disposal, while H.R. 15848 deals with clean air.

Mr. ROGERS of Florida. That is exactly what I said. I said the Department presented the two statements together.

Mr. HALL. Well, then, would the gentleman please outline for me the total differences between H.R. 15847 and H.R. 11833, or tell me there is no difference?

Mr. ROGERS of Florida. Well, there are some differences. The committee wrote the bill it wanted. We did not accept all of the administration's recommendations.

Mr. HALL. But the gentleman is not willing to delineate what the differences are, if any, inasmuch as the testimony from the departments is all in favor of one bill and you come out with a predated bill?

Mr. ROGERS of Florida. The Department had no construction program in the administration bill at all—no construction grants—and there is in the committee bill such grants in order to permit new techniques to be developed as was explained by the gentleman from Illinois (Mr. SPRINGER) in his discussion of exactly what the bill does. I would say that is the major difference. It is, however, not the intention of the committee that grants be used to duplicate techniques which private industry has already developed and operating in a reasonable and feasible manner.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, then it does follow, of necessity, that the committee is seeking a comment on the later bill, H.R. 15847, which it did not accept, but used its own predated bill, H.R. 11833, which added the construction and "brick

and mortar" portion on which the departments have not commented; is that a correct statement?

Mr. ROGERS of Florida. I think the gentleman will find there was a discussion with witnesses of all this, as to what needed to be done.

I might say for the enlightenment of the gentleman that the Secretary himself did not appear, unfortunately, but he did have his department people appear. In my opinion the committee has gone into a thorough discussion with all the experts in the field.

Mr. HALL. Mr. Chairman, if the gentleman will yield further, I am willing to admit—and I am not being just the Devil's advocate; I am simply trying to learn, because as I said in the beginning, I think I am in favor of this bill, but, we do not want any more legerdemain that will lead to a possible vote coming up here as the result of quick action at a sparsely attended session of the Committee of the Whole House on the State of the Union. I am simply trying to find out because the Secretary himself did not testify, although I am willing to accept Mr. Vene-man's testimony as substitute testimony on behalf of the Secretary before this distinguished Committee. However, he simply ends up by saying he wants to reaffirm the passage of the administration bill which does not contain "brick and mortar," and therefore we end up in the same position we are in otherwise, a dubious one at best.

Mr. ROGERS of Florida. Well, that is basically the difference. I might say this—that the committee in the bricks and mortar section, tried to stress that there should be new techniques, and not just the old way of going out and burning in an open field, but to try to bring in new technologies.

Mr. HALL. I am familiar with some of the new techniques. Could the gentleman tell us how much difference there is in the funding of the committee bill, H.R. 11833, and that on which the Secretary testified, H.R. 15847?

Mr. ROGERS of Florida. I thought the point had been made earlier, but I will restate it: The Department is open ended, and they do not have any figure, just as much as they want, but our committee does not operate that way.

Mr. HALL. But you do not have the bricks and mortar here.

Mr. ROGERS of Florida. But inasmuch as their program is open ended in all that they ask for, what we have done is put in a limitation. And we do this in our committee because, rather than coming to the House and saying it is going to be open ended, and whatever the Department wants it may have, we do not believe in operating that way. And I think the gentleman feels that we certainly should not, and therefore the committee put on a limitation, and we can let them come back to us and explain what they are doing, and whether they need to go over the limitation, or if it is not used, then we can reduce it at a later time. That is the approach we try to take.

Mr. HALL. I agree with the point that the gentleman makes that it should never be open ended, and I am sure personally that we should not say that the funds should be authorized until expended.

Mr. ROGERS of Florida. I think the gentleman is correct on that statement also.

Mr. McCLURE. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Idaho.

Mr. McCLURE. Mr. Chairman, I thank the gentleman for yielding, and I want to thank the gentleman for the assurances that were made a few moments ago with respect to interdepartmental cooperation that would guarantee further support for the on-going efforts of the U.S. Forest Service and the Forest Products Laboratory at Madison, Wis., and other programs of the Department of Agriculture. I would like to ask a few questions on another subject. Was the committee able to conclude or draw any conclusion from the testimony as to at what point in the cycle assistance can best be given in the recovery of scrap automobiles?

Mr. ROGERS of Florida. Yes; this was gone into, and I think we are making considerable progress in this regard. There have been a number of companies that have developed a machine that can crush the automobiles. Some of the techniques first strip the automobiles and then crush them so that they can be re-used by the steel industry. This is now being done.

Also there is work going on to try to remove copper. Some of the copper that is used in the automobiles, which really prevents the automobiles from being crushed down and used right off by the steel industry. To remove copper from autos will reduce the cost of reclaiming autos because the steel industry says that too much copper in the waste material is harmful to their process. So they are doing research now, very active research in trying to see if this problem can be answered. We are making great progress into new methods to get to the problem of disposing of automobiles, and this bill I think will advance this very rapidly.

Mr. McCLURE. Mr. Chairman, will the gentleman yield further?

Mr. ROGERS of Florida. I yield further to the gentleman from Idaho.

Mr. McCLURE. Mr. Chairman, I would thank the gentleman for yielding me this additional time, and then state to the gentleman that I have spent a good deal of time in the last several months studying this problem, and the economics of scrap recovery from used automobiles, such as the problem of transportation, the problem of capital investment in the baler or crusher, as well as the shredder, and also the capital investment required for the smelting and refining process.

The Bureau of Mines has recently come up with a new burning process that is said to eliminate the threat of air pollution, and which would require, however, the capital investment that is inherent in any such procedure. It struck me that there are a number of critical points, one being transportation, one being capital investment, and one the technology itself, which can yield the highest degree of recovery with the least amount of side effects such as air pollution. I am hopeful that this program that is outlined in this bill will lead to pinpointing the points at which



the Government can stimulate the economic activities to indeed get these junkyards cleaned up and get the scrap materials back into the mainstream of industry.

Mr. ROGERS of Florida. I thank the gentleman and I want to assure him that it is the intent of the legislation.

Mr. McCLURE. I thank the gentleman.

Mr. STAGGERS. Mr. Chairman, I yield to the gentleman from Texas, a member of the committee.

(Mr. PICKLE asked and was given permission to revise and extend his remarks.)

Mr. PICKLE. Mr. Chairman, I rise in support of the bill, H.R. 11833.

Mr. Chairman, this legislation today bears the imprint and the thought of the Interstate and Foreign Commerce Committee. Throughout the hearings and during the executive sessions, I have been privileged, as a member of the committee, to work with a group of dedicated legislators who can readily translate their concern for the environment into legislative action.

This bill today is one of several that have originated within our committee. In the last few weeks, we have enacted legislation setting up the Joint Committee on Environment, which I cosponsored, and the Clean Air Act.

This Resource Recovery Act was successfully drafted with the same intent as the other bills. We need this bill we are considering today. By our action, we are amending the Solid Waste Disposal Act so that funds will be provided for the construction of solid waste disposal facilities—and for much needed research programs.

Through the Department of Health, Education, and Welfare, we have the opportunity to use this legislation to reach our objectives. We can set up study programs, investigations and demonstration projects. Then, we can supplement what we learn in these projects with the construction grants to State, regional and local governments. In this way, the Federal Government is directly sharing the responsibility to finance pilot projects using our new-found technology.

Just perhaps through the machinery set up in this bill, just perhaps we can find a use for some of the 369 million tons of solid waste materials. We had better, because our waste tonnage is expected to double by 1980.

Mr. Chairman, this legislation is tangible proof that the Commerce Committee is not content to talk about the problems of our environment. Rather, we are actively engaged in finding solutions.

Ironically, in this age of such technological skills available through computers, too many look at the stars and try and count them on their fingers. To my thinking, we have plugged in some long-needed technical help today.

Mr. BENNETT. Mr. Chairman, I rise in support of this measure, and congratulate the gentleman from Florida (Mr. ROGERS), for his leadership in this important field of disposal of solid wastes; a problem which has long needed closer scrutiny by our Government. The challenge is to eliminate the solid wastes, to reuse the natural resources involved, and

to cut the costs now being experienced in the abortive procedures that are now being used in this field. Hopefully all of these objectives can be achieved by the legislation before us. I was one of the original introducers of legislation in this field and I sincerely hope that this perfected legislation may become law.

Mr. SKUBITZ. Mr. Chairman, solid waste disposal has emerged in the last few years as a major problem both from the standpoint of the environment and the economy. Local governments are more and more finding themselves incapable of coping with the vastly increased volume of solid waste. All of the known and tried methods of handling trash are out of date and inadequate. Landfills and incinerators create as many problems as they solve. Junked automobiles, throw-away containers, and plastic packages are substances which defy disintegration. Aluminum beer cans loom in the headlights of automobiles forever after.

The bill before us today, H.R. 11833, is aimed at reducing the amount of solid waste, finding new ways to handle it and perhaps recover useful material therefrom. To do any of these things we must first of all know considerably more about the problem than we do today. The bill, therefore, provides for a comprehensive study which will explore the means of recovering useful materials from discarded items. It will also include a study of better packaging methods and ways to create incentives for research, industries, and governments to handle the problems more effectively.

As new methods emerge, demonstration projects will be carried out by the Federal Government to take the kinks out of them. Money will be available to States and cities if they will make serious efforts at planning waste disposal programs. All of these things thus far described will not happen overnight and there is no point in assisting or encouraging the methods which today are not working.

As methods become available and plans are made, grants will be available to cities or combinations of cities to build installations using these new methods. The bill does provide that funds for construction grants may not be concentrated in any one area and that not more than 15 percent of available funds may go to any one State. Within one State the money must be spread around if there are several suitable projects worthy of assistance.

The bill divides the authorizations in two parts. The Department of the Interior gets funds to use in the area of minerals and fossil fuels. This amounts to \$60 million over a 3-year period. The Department of Health, Education, and Welfare which will administer the bulk of the grant programs I have described will be authorized to request a total of \$451 million over the 3-year period.

This program like others to protect and preserve our environment must go forward. Unlike many such programs this one does not deal with invisible and insidious dangers but with readily evident and increasingly annoying junk. As a member of the Committee on Inter-

state and Foreign Commerce from which this bill was reported I want to lend my support, and recommend it to the House.

Mr. TIERNAN. Mr. Chairman, to date, Americans have shown too little concern for the preservation of the natural resources that God gave us in such abundance. We have polluted our air and our water and now we are threatened with being buried in our own solid waste. We are in desperate need of innovative outlooks on the problem of resource recovery and solid waste disposal.

We have passed the time for debate and dialog on this issue; we must now take action to insure that technology is put to use to reclaim and recycle usable materials and energy from such solid waste. Back in 1969, I introduced a bill on solid waste very similar to H.R. 11833. At that time there was little interest for this type of innovative bill. Today I hope we better understand the dimensions of the problem.

The figures are overwhelming. It is estimated that Americans, in a typical year, throw away 48 billion cans, 26 billion bottles, 100 million rubber tires, 30 million tons of paper, and 4 million tons of plastic. In addition, more and more items are coming in plastics which do not decompose and cause noxious fumes when they are burned.

H.R. 11833 is aimed at finding the best ways to reuse solid waste material. Try as we might, we cannot continue indefinitely to burn, bury, or throw away our solid waste material. Effective management of this problem is absolutely necessary. By recycling our solid waste products, we might eventually live in a junkless civilization. We buy, we use, and we throw away. If we continue with this same process, we will soon drown in our own trash.

I support H.R. 11833, for it attempts to expand and intensify the development of new technologies for solid waste disposal and attempts to promote greater initiative on the part of the States in assuming increasing responsibilities for solid waste disposal programs. In addition, the bill will try to stimulate the construction by States and municipalities of pilot facilities utilizing new and improved waste disposal technologies.

The time has come for us to devise new and more effective means of resource recovery. This bill is a step in that direction and can serve as the vehicle which may save us from our own lack of foresight. Billions of dollars in raw materials are now being wasted. We can no longer afford this waste. This bill will help us meet this pressing problem. I urge my colleagues to join with me in supporting this vital legislation.

Mr. MINISH. Mr. Chairman, I strongly advocate passage of the Resource Recovery Act before the House today.

This measure amends the Solid Waste Disposal Act to stimulate pilot facilities using improved waste disposal technologies, in addition to expanding technologies appropriate for solid waste disposal and developing incentive programs for the recovery and recycling of solid waste into energy and usable matter.

Although this Nation is generating solid waste at a rate estimated to be 360 million tons, we are told that this



amount will double within the next decade. Moreover, although we are spending \$4.5 billion annually to manage this waste, the sum is inadequate to cope with the problem.

Presently, expenditures serve mainly to provide for solid waste collection and transportation. While open dumping is the most prevalent method for disposing of solid waste, studies have indicated that 94 percent of the open dumping facilities are inadequate since the waste is either improperly covered or else creates a water pollution problem. Incineration, the second most frequently used method employs municipal incinerators, 75 percent of which are estimated to be inadequate, or air polluters or both.

A new approach and new technology may prove to be the answer; it is doubtful that more trucks or land-fill areas can suffice for long.

The Congress recognized the need for a concerted program in 1965 when it enacted the Solid Waste Disposal Act to accompany efforts to reduce air pollution. The legislation we are considering today would amend the 1965 legislation by strengthening it by providing more funds to regions of the country requiring assistance, and by increasing the percentage of Federal money for relevant projects and construction grants. Moreover, today's legislation calls for appropriate standards for the development of solid waste collection and disposal systems by the Secretary of Health, Education, and Welfare within 18 months following enactment of this measure. Private systems would be included. Such standards would be consistent with health, air, and water pollution standards. Additionally, the Health, Education, and Welfare Secretary would be authorized to recommend model codes to implement such recommendations.

In order to contend with the growing amount of solid waste we must not only develop and apply new methods to collection and disposal, but must discover how to process and recover usable energy and materials as well. The only way to reduce the amount of waste and unsalvageable materials is to recover and utilize the resources within solid waste. This legislation is a step in the right direction.

It is important that we act swiftly, for the rate of solid waste increment seems to rise geometrically and there is no time to lose.

Mr. NELSEN. Mr. Chairman, I sincerely hope that every Member of Congress has had the opportunity to read the report which accompanies H.R. 11833, the Resource Recovery Act of 1970, to the House floor today.

The facts brought out in this report, compiled by the House Interstate and Foreign Commerce Committee on which I serve, point compellingly to the need for the type of legislation which we are recommending. As the report indicates, the United States is generating some 360 million tons of industrial, municipal, and commercial solid waste, an amount that is expected to double by 1980. It is costing the Nation \$4.5 billion annually in an effort to treat this waste, primarily by burial or burning.

Yet, alarmingly, present modes of solid waste treatment are not adequate, and are often inferior. Insofar as open dumping facilities are concerned, for example, 94 percent are considered substandard, tending to worsen air and water pollution through ineffective burning or burial techniques. As to municipal incineration, 75 percent of all municipal incinerators have been found to be inadequate due to inefficiency in reducing solid wastes to ashes as well as to resultant air pollution.

As our population grows, the present system of disposal for garbage, trash, and other solid wastes will obviously worsen unless new techniques and technologies can be developed. New ways must be found to recycle and reuse those materials, such as wood, metal, and plastics, which can be salvaged.

In order to carry out these urgent objectives, the Resource Recovery Act is designed to expand and intensify research and construction of experimental pilot programs connected with solid waste disposal, and to promote greater initiative within the 50 States in meeting solid waste pollution problems.

There is great awareness throughout the Nation of the need to move diligently to clean up our polluted environment. The measure before you today is one of the means required to do the job with any degree of success. As such, it is of major importance to the American people. I am proud of the role played in its development by the public health and welfare subcommittee on which I serve as ranking minority member, and I urge your support for its provisions.

Mr. MONAGAN. Mr. Chairman, I support H.R. 11833, the Resource Recovery Act of 1970. I have long been concerned with the threat presented by the problem of the disposal of solid wastes, and I view with increasing alarm the danger these pose to our environment and to our national health. Earlier in this session of Congress I pointed out that our present high standard of living is dependent upon the capacity of the American people to consume products, and the consumption of those products necessarily generates wastes. As our level of affluence rises, and greatest sums are spent to purchase more and more goods, the net result in the creation of even larger amounts of trash and garbage.

The United States generates approximately 360 million tons of solid waste every year. Every man, woman, and child in this country creates 5.3 pounds of garbage a day, and that figure is expected to rise to 8 pounds per day by 1980. In my own State of Connecticut, the production of solid waste will almost double in the next decade, rising from 2,970,000 tons this year to an estimated 5,573,000 tons in 1980. In our attempt to eliminate this avalanche of rubbish we in the United States spend \$4.5 billion per year on the collection and disposal of waste materials; despite this vast expenditure we only rid ourselves of half the waste we produce, and existing disposal methods are extremely harmful to the environment. By burying our garbage, we have corrupted our soil to the extent that an area almost one and one-half times as large as my own State of Connecticut

has been rendered near useless by garbage dumpings.

Buried garbage seeps into underground streams, polluting our waters as well. If current projections are correct, it will soon be very difficult to dump any garbage at all, for within the next 5 to 10 years our major cities will have completely used up their garbage burial areas. Because the burning of rubbish is one of the major causes of air pollution in the United States today, incineration presents no real practical solution to the problem. Garbage is thus finding its way into our air, our soil, our streams and rivers, and by destroying our environment it is directly affecting our physical well-being. The U.S. Public Health Service has established that a direct link exists between solid waste materials and 22 human diseases. Solid wastes present a clear and present danger to the Nation's health, and the immediacy of the danger demands the development of new techniques and methods to bring about its elimination.

To combat the danger I have several times urged that the Federal Government, in conjunction with State and local governments, take positive steps toward finding a true solution to the problem of solid waste disposal. I have recommended that a solid waste management program to coordinate all research now being done on that subject be established under the aegis of the Secretary of Health, Education, and Welfare. I have asked, too, that the Secretary be requested to compile a national inventory of both solid waste management needs and problems of solid waste management technology. Title III of my H.R. 13826 provided for the establishment of just such a coordinating effort.

I feel that H.R. 11833 is a further step in the right direction. First of all, it confronts the problem with the most effective weapon which this Government can wield—the use of funds. As I have often pointed out in the past, the only true solution to the problem of pollution is the allocation of moneys with which new programs may be undertaken, and new methods devised. H.R. 11833 accomplishes both of these objectives.

By authorizing the spending of \$800 million over a 5-year period, it provides a firm financial base upon which to construct research and development programs to tackle the problem head on. The research programs proposed in the bill encompass all three aspects of the solid waste situation. First, in what may be called an attempt at preventive medicine, it authorizes studies to determine how the enormous amount of waste produced each year might be decreased; secondly, it provides for the examination of new techniques which would improve both the collection and the efficient and safe disposal of what waste matter does exist; finally, it sets up investigations into the possibilities of utilizing waste materials as a source of fuel and raw materials for industry. Research alone is not enough, however; programs are required to put into effect those methods which the research has brought forth. To this end, H.R. 11833 also provides for Federal grants to States



and municipalities which seek to establish programs and projects designed to test out new and improved techniques of solid waste disposal. Most importantly, too, the bill directs the Secretary of Health, Education, and Welfare to create uniform national standards for solid waste collection and disposal.

The answer to the entire problem of waste disposal lies in the ultimate reuse of most of what is discarded today, and I am pleased that this bill focuses on that key point. If we are successful in devising a system in which solid wastes are recycled into reusable raw materials, we not only will have met a serious threat to the Nation's health, but at the same time we will have done much to preserve the natural resources of the Nation for generations to come.

In accordance, therefore, with my previously set forth position of supporting legislation which will repair and protect our natural environment, and which will safeguard our health, I applaud H.R. 11833, and urge its prompt and speedy passage.

Mr. RYAN. Mr. Chairman, it has been estimated that in the 35-year period between 1965 and the year 2000, 10 billion tons of solid wastes will have been accumulated. Refuse, already at a level of 100 pounds per capita daily from all sources, will continue to increase as our population grows and our economy permits our citizens to acquire even more consumer goods.

Recognizing the seriousness of the problem, Congress in 1965 passed the Solid Waste Disposal Act, which authorized research, demonstration, training, and planning grants. However, it did not include grants for the construction of solid waste disposal facilities.

Since 1965, public awareness about the problem of solid wastes has vastly increased. Americans are now aware of the devastation of quality of their environment. They have begun to realize that there is a total responsibility—of the Nation as a whole—for the condition of our earth; that garbage and refuse in the streets, in the parks, in the waters, and elsewhere is the result of an unwillingness to make the commitment necessary to end pollution.

The 1965 act was not enough. For this reason, I introduced legislation to provide grants for planning and also to provide Federal financial assistance to municipal, intermunicipal, State, and interstate agencies for the construction of solid waste disposal facilities. In the 91st Congress, it is H.R. 642.

H.R. 642 recognizes the problem of solid waste disposal as a regional one. As with the problem of air pollution, the solid waste situation cannot be resolved by one political jurisdiction exclusive of its neighbor. With literally thousands of municipalities growing up next to each other, it is impossible in this day and age to use the town next door as a trash dump. Instead, areawide planning is necessary.

My bill assists local governments in developing solid waste disposal plans, but it requires them to cooperate with each other in establishing an areawide solution.

My bill aims at another problem of solid waste disposal—the fact that too many of our existing solid waste facilities are far from adequate. According to the Bureau of Solid Waste Management, today “approximately 12 percent of the residential population receives no formalized collection services, and that another 11 percent only partial service.”

My bill provides for the Secretary of Health, Education, and Welfare to make grants for the construction of solid waste disposal facilities, including the completion and improvement of existing ones.

The two most common methods of disposal are dumping and incineration. Only 6 percent of the sites used for dumping can qualify for the term “sanitary landfill”—which means that there is a daily covering of dirt, no open burning, and no water pollution problems. If the rest of the Nation's landfills were to be upgraded, it is estimated that some \$244 million of capital funds would have to be invested over a period of 10 years for equipment alone.

Incinerators present a picture that is not much brighter. Three-fourths of the municipal incinerators are inadequate from an air pollution standpoint or from the point of being reducers of masses of solid wastes.

H.R. 11833, the bill reported out of the Committee on Interstate and Foreign Commerce, which is before us today, is similar to H.R. 642 in that it takes an areawide approach and provides grants for planning. However, the construction grant program contemplated by the bill is too limited.

H.R. 11833 requires that a grant shall be made for a project “only if it utilizes new and improved techniques of demonstrated usefulness” for solid waste disposal, resource recovery, or recycling.

The language of the report—Report No. 91-1155—shows that the committee intends to restrict the construction grant program to pilot facilities utilizing new and improved technologies. The report speaks of a “highly selective grant program” to stimulate the construction of advanced disposal facilities—page 4. It states that the program is not a general grant-in-aid program but “an experimental one designed to assist in the financing of advanced solid waste facilities”—page 5.

While I believe the most advanced technology should be utilized, I do not believe this should be only a pilot or experimental program. Adequate technology is at hand so that perfectly acceptable facilities can be constructed for general use.

As my bill, H.R. 642 provides, there should be a Federal grant-in-aid program to assist in the cost of constructing solid waste disposal facilities, including completion and improvement of existing facilities.

The committee bill would authorize construction grants up to 50 percent of the cost of a project. Our local governments today are in severe financial straits. Many of them are virtually unable to make up 50 percent of such construction costs. Rising interest rates, dwindling municipal bond markets, and soaring construction costs make it very

difficult for municipalities to come up with the needed matching funds. For this reason, my bill provided that the Federal Government would pay up to 66⅔ percent of the construction cost. Although our cities still would have a difficult time making up the difference, I think the 66⅔-percent approach is far more realistic. In addition, both my bill and the committee bill provide Federal matching up to 75 percent if a project serves more than one municipality.

Unfortunately, the committee bill contains an unfair 15-percent restriction on the amount of funds which may be granted for projects in any one State. Such percentage limitations discriminate against the large industrial States with the most serious problems and should not be included in this or any other legislation.

Lastly, my legislation authorizes expenditures of \$219 million more in fiscal years 1971 and 1972 than the committee bill—almost twice as much. Once again, we have the problem of whether Congress is going to back up its legislation with needed funds.

It is essential in solving the solid waste problem to spend the type of money that is necessary to tackle the problem. We must make that commitment if future generations are not to inherit a nation of garbage.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Resource Recovery Act of 1970”.*

SEC. 2. Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

“(7) The term ‘municipality’ means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law and having jurisdiction over the disposal of solid wastes.”

SEC. 3. (a) Section 204(a) of the Solid Waste Disposal Act is amended by striking out all that follows “solid-waste disposal programs,” in such subsection and inserting in lieu thereof the following: “the reduction of the amount of such waste and unsalvageable waste materials, and the development and application of new and improved methods of collecting and disposing of solid waste and processing and of recovering usable energy and materials from solid waste (including devices and facilities therefor).”

(b) Section 204(d) of such Act is repealed.

SEC. 4. (a) The Solid Waste Disposal Act is amended by striking out section 206, by redesignating section 205 as 206, and by inserting after section 204 the following new section:

“SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF USEFUL ENERGY AND MATERIALS

“SEC. 205. (a) The Secretary of Health, Education and Welfare shall carry out an investigation and study to determine—

“(1) economical means of recovering useful energy and materials from solid waste, recommended uses of such energy and materials for national or international welfare, and the market impact of such recovery;



"(2) appropriate incentive programs (including tax incentives) to assist in solving the problems of solid waste disposal;

"(3) practicable changes in current production and packaging practices which would reduce the amount of solid waste; and

"(4) practicable methods of collection and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse, or disposal of wastes.

The Secretary shall from time to time, but not less frequently than annually, report the results of such investigation and study to the President and the Congress.

"(b) The Secretary is also authorized to carry out demonstration projects to test and demonstrate methods and techniques developed pursuant to subsection (a).

"(c) Section 204 (b) and (c) shall be applicable to investigations, studies, and projects carried out under this section."

(b) The Solid Waste Disposal Act is amended by redesignating sections 207 through 210 as sections 210 through 213, respectively, and by inserting after section 206 (as so redesignated by subsection (a) of this section) the following new sections:

**"GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING"**

"SEC. 207. (a) The Secretary of Health, Education, and Welfare may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of—

"(1) not to exceed 66½ per centum of the cost in the case of an application with respect to an area including only one municipality, and not to exceed 75 per centum of the cost in any other case, of—

"(A) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and

"(B) developing solid waste disposal plans as part of regional environmental protection systems for such areas, including planning for the reuse, as appropriate, of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites; and

"(2) not to exceed 50 per centum of the cost of overseeing the implementation, including enforcement, and modification of plans developed under paragraph (1) (B).

"(b) Grants pursuant to this section shall be made upon application therefor which—

"(1) designates or establishes a single agency as the sole agency for carrying out the purposes of this section for the area involved;

"(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal programs;

"(3) sets forth plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

"(4) provides for submission of a final report of the activities of the agency in carrying out the purposes of this section, and for the submission of such other reports, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary to assure the correctness and verification of such reports; and

"(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

"(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with, and not duplicative of, other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.

**"GRANTS FOR CONSTRUCTION"**

"SEC. 208. (a) The Secretary of Health, Education, and Welfare is authorized to make grants pursuant to this section to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal and resource recovery facilities, including improvement of existing facilities.

"(b) Any such grant—

"(1) shall be made for a project only if—

"(A) a State or interstate plan for solid waste disposal has been adopted which applies to the area involved, and the project is consistent with such plan, is included in a comprehensive plan for the area involved which is satisfactory to the Secretary for the purposes of this Act, and is consistent with any standards developed pursuant to section 209, and

"(B) it utilizes new and improved techniques of demonstrated usefulness in reducing the environmental impact of solid waste disposal, in achieving recovery of energy or resources, or in recycling useful materials;

"(2) shall be made (A) in amounts not exceeding 50 per centum of the estimated reasonable cost of the project as determined by the Secretary in the case of a project serving an area which includes only one municipality and not exceeding 75 per centum of such cost in any other case, and (B) only if the applicant is unable to obtain such amounts from other sources upon terms and conditions equally favorable;

"(3) shall not be made until the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project after completion;

"(4) shall not be made unless such project is consistent with the purposes of the Federal Water Pollution Control Act and the Clean Air Act; and

"(5) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

"(c) In determining the desirability of projects and of approving Federal financial aid in connection therewith, consideration shall be given by the Secretary to the public benefits to be derived by the construction and the propriety of Federal aid in such construction, the relation of the ultimate cost of the project to the public interest and to the public necessity for the project, and the use by the applicant of comprehensive regional or metropolitan area planning.

"(d) (1) Not more than 15 per centum of the total of funds appropriated for any fiscal year and available for purposes of this section shall be granted for projects in any one State.

"(2) Of the sums granted for projects in any one State in any fiscal year, not more than 10 per centum shall be granted in such year for any single project in such State; except that, in the case of a State for which less than 10 project applications which meet the requirements of this section have been submitted (prior to such date as the Secretary shall prescribe) for a fiscal year, at least 10 per centum of such sums shall be granted for each such project.

"(3) The Secretary shall prescribe by reg-

ulation the manner in which this subsection shall apply to a grant under this section for a project in an area which includes all or part of more than one State.

**"RECOMMENDED STANDARDS"**

"SEC. 209. (a) The Secretary of Health, Education, and Welfare shall, in cooperation with appropriate State, interstate, and regional and local agencies, within eighteen months following the date of enactment of the Resource Recovery Act of 1970, recommend to appropriate agencies standards for solid waste collection and disposal systems (including systems for private use) which are consistent with health, air, and water pollution standards and can be adapted to applicable land use plans.

"(b) In addition, the Secretary of Health, Education, and Welfare shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act."

SEC. 5. (a) Section 213(a) of the Solid Waste Disposal Act (as so redesignated by this Act) is amended by striking out "and" after "1969," and by inserting before the period at the end thereof the following: ", not to exceed \$83,000,000 for the fiscal year ending June 30, 1971, not to exceed \$152,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$216,000,000 for the fiscal year ending June 30, 1973. The sums so appropriated shall remain available until expended".

(b) Section 213(b) of such Act (as so redesignated) is amended by striking out "and" after "1969," and by inserting before the period at the end thereof the following: ", not to exceed \$17,500,000 for the fiscal year ending June 30, 1971, not to exceed \$20,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$22,500,000 for the fiscal year ending June 30, 1973".

(c) Section 213 of such Act (as so designated) is further amended by adding at the end thereof the following new subsection:

"(c) Such portion as the Secretary may determine, but not more than 1 per centum, of any appropriation for grants, contracts, or other payments under any provision of this Act for any fiscal year beginning after June 30, 1970, shall be available for evaluation (directly, or by grants, or contracts) of any program authorized by this title."

SEC. 6. The amendments made by this Act shall be effective for fiscal years beginning after June 30, 1970.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Chairman, I would like to get one thing completely clear from someone on this committee—and that is, whether the Bureau of the Budget approves the spending contained in this bill?

Mr. STAGGERS. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. STAGGERS. The Bureau of the Budget does not express themselves one way or the other on the spending in this bill.

All of the views that were given and all of the testimony was generally on the administration bill as introduced by myself and the gentleman from Illinois (Mr. SPRINGER).

After hearing all of the witnesses and all of the testimony, the subcommittee came up with a new bill which they thought would be in the best interest of the Nation. That was done after hearing all of the testimony.



So the Bureau of the Budget did not express themselves one way or another.

Mr. GROSS. Yes, and that seems perfectly obvious even from a casual reading of the hearings. The Committee considered H.R. 15847 and H.R. 15848 and then came back to H.R. 11833 and brought that bill to the House floor.

Mr. STAGGERS. That is what the subcommittee did after their deliberations and it was certainly within their rights to do so after hearing all of the testimony and deciding that it was the best bill to bring to the floor, I am sure, in this instance.

Mr. GROSS. Well, we do not know whether events in the future will dictate a veto of this bill, on the basis that it exceeds the budget. We do not know what the future holds for this legislation in the way of acceptance at the White House.

Mr. STAGGERS. We have no indication of any such thing as a veto. We have consulted with the administration about the bill and I would certainly not think there would be a veto.

Mr. GROSS. Well, pollution and environment are fast becoming sacred cows. I would not know what to look forward to in the future.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute.

The committee substitute amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ABERNETHY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes, pursuant to H.R. 1068, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 337, nays 0, not voting 92, as follows:

[Roll No. 184]

YEAS—337

Abbott	Esch	McFall
Abernethy	Evans, Colo.	Macdonald,
Adams	Evins, Tenn.	Mass.
Albert	Fallon	Madden
Alexander	Fascell	Mahon
Anderson,	Findley	Mailliard
Calif.	Fisher	Mann
Anderson, Ill.	Flood	Marsh
Andrews, Ala.	Flowers	Martin
Annunzio	Flynt	Mathias
Ashbrook	Foley	Matsunaga
Ashley	Ford,	May
Aspinall	William D.	Mayne
Ayres	Foreman	Meeds
Baring	Fountain	Meicher
Barrett	Fraser	Miller, Calif.
Belcher	Freilinghuysen	Miller, Ohio
Bel, Calif.	Frey	Millis
Bennett	Friedci	Minish
Berry	Fulton, Pa.	Mink
Betts	Fulton, Tenn.	Mize
Bevill	Fuqua	Mizell
Biaggi	Galifianakis	Monagan
Biester	Gallagher	Moorhead
Blanton	Garmatz	Morse
Blatnik	Gettys	Morton
Boland	Gialmo	Mosher
Boiling	Gibbons	Moss
Brademas	Goldwater	Murphy, Ill.
Bray	Gonzalez	Myers
Brinkley	Goodling	Natcher
Brooks	Green, Pa.	Nedzi
Broomfield	Griffin	Nelsen
Brotzman	Griffiths	Nichols
Brown, Calif.	Gross	Nix
Brown, Mich.	Gubser	Obey
Brown, Ohio	Gude	O'Hara
Broyhill, N.C.	Hagan	O'Konski
Broyhill, Va.	Haley	Olsen
Buchanan	Hali	O'Neill, Mass.
Burke, Fla.	Halpern	Passman
Burke, Mass.	Hansen, Wash.	Patman
Burleson, Tex.	Harrington	Patten
Burlison, Mo.	Harsha	Pelly
Burton, Calif.	Harvey	Pepper
Burton, Utah	Hathaway	Perkins
Bush	Hays	Pettis
Button	Hébert	Philbin
Byrne, Pa.	Hechler, W. Va.	Pickle
Cabell	Heckler, Mass.	Pike
Camp	Helstoski	Pirnie
Carter	Henderson	Poage
Casey	Hicks	Poff
Cederberg	Hogan	Preyer, N.C.
Chamberlain	Hollifield	Price, Tex.
Chappell	Horton	Pryor, Ark.
Clark	Hosmer	Pucinski
Clawson, Del.	Hull	Quile
Clay	Hungate	Quillen
Cleveland	Hunt	Railsback
Cohelan	Hutchinson	Randall
Collier	Ichord	Rarick
Collins	Jacobs	Rees
Colmer	Jarman	Rcid, Ill.
Conte	Johnson, Calif.	Reifel
Corbett	Johnson, Pa.	Reuss
Corman	Jonas	Rhodes
Coughlin	Jones, Ala.	Riegler
Cowger	Jones, N.C.	Rivers
Cramer	Jones, Tenn.	Roberts
Crane	Karth	Rodino
Cuiver	Kastenmeier	Roe
Cunningham	Kazen	Rogers, Colo.
Daniel, Va.	Kee	Rogers, Fla.
Davis, Ga.	King	Rooney, Pa.
Deilenback	Kleppc	Rostenkowski
Dennery	Kluczynski	Roudebush
Dennis	Kuykendall	Ruppe
Derwinski	Kyl	Ruth
Devine	Kyros	St Germain
Dickinson	Landgrebe	Sandman
Diggs	Langen	Satterfield
Dingell	Latta	Saylor
Donohue	Leggett	Schadeberg
Dorn	Lennon	Scherie
Dowdy	Lloyd	Schneebeli
Downing	Long, La.	Schwengel
Duncan	Long, Md.	Scott
Dwyer	Lujan	Sebelius
Eckhardt	Lukens	Shipley
Edmondson	McClory	Shriver
Edwards, Ala.	McCloskey	Sikes
Edwards, Calif.	McClure	Sisk
Edwards, La.	McCuiloach	Smith, Calif.
Eilberg	McDade	Smith, N.Y.

Snyder	Thompson, Ga.	Whitehurst
Springer	Thompson, N.J.	Whitten
Stafford	Thomson, Wis.	Widnall
Staggers	Tierman	Wiggins
Stanton	Tunney	Williams
Steed	Udall	Wilson, Bob
Steiger, Ariz.	Ullman	Winn
Steiger, Wis.	Van Decriin	Wold
Stephens	Vander Jagt	Wright
Stokes	Vanik	Wyatt
Stubblefield	Vigorito	Wylie
Stuckey	Waggonner	Wyman
Sullivan	Waldie	Yates
Symington	Wampler	Yatron
Taft	Watkins	Zablocki
Talcott	Watts	Zion
Taylor	Whalen	Zwach
Teague, Calif.	Whalley	
Teague, Tex.	White	

NAYS—0

NOT VOTING—92

Adair	Eshleman	Mikva
Addabbo	Farbstein	Minshall
Anderson,	Feighan	Mollohan
Tenn.	Fish	Montgomery
Andrews,	Ford, Gerald R.	Morgan
N. Dak.	Gaydos	Murphy, N.Y.
Arends	Gilbert	O'Neal, Ga.
Beall, Md.	Gray	Ottinger
Bingham	Green, Oreg.	Podell
Blackburn	Grover	Pollock
Boggs	Hamilton	Powell
Bow	Hammer-	Price, Ill.
Brasco	schmidt	Purcell
Brock	Hanley	Reid, N.Y.
Byrnes, Wis.	Hanna	Robison
Caffery	Hansen, Idaho	Rooney, N.Y.
Carey	Hastings	Rosenthal
Celler	Hawkins	Roth
Chisholm	Howard	Roybal
Clancy	Keith	Ryan
Clausen,	Kirwan	Scheuer
Don H.	Koch	Skubitz
Conable	Landrum	Slack
Conyers	Lowenstein	Smith, Iowa
Daddario	McCarthy	Stratton
Daniels, N.J.	McDonald,	Watson
Davis, Wis.	Mich.	Weicker
Dawson	McEwen	Wilson
de la Garza	McKneally	Charles H.
Delaney	McMillan	Wolff
Dent	MacGregor	Wydler
Duiski	Meskill	Young
Erlenborn	Michel	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Gerald R. Ford.  
 Mr. Delaney with Mr. Arends.  
 Mr. Price of Illinois with Mr. Adair.  
 Mr. Murphy with Mr. Grover.  
 Mr. Mikva with Mr. Michel.  
 Mr. Daddario with Mr. Meskill.  
 Mr. Hanley with Mr. McKneally.  
 Mr. Wolff with Mr. Wylder.  
 Mr. Addabbo with Mr. Weicker.  
 Mr. Dulski with Mr. McEwen.  
 Mr. Young with Mr. Byrnes of Wisconsin.  
 Mr. Rooney of New York with Mr. Bow.  
 Mr. Stratton with Mr. Hastings.  
 Mr. Podell with Mr. Reid of New York.  
 Mr. Slack with Mr. Beall.  
 Mr. Gaydos with Mr. Eshleman.  
 Mr. McCarthy with Mr. Fish.  
 Mr. Anderson of Tennessee with Mr. Hansen of Idaho.  
 Mr. Landrum with Mr. Hammerschmidt.  
 Mr. Celler with Mr. Robison.  
 Mr. Hamilton with Mr. McDonald of Michigan.  
 Mr. Daniels of New Jersey with Mr. Clancy.  
 Mr. McMillan with Mr. Davis of Wisconsin.  
 Mr. Howard with Mr. Erlenborn.  
 Mr. Charles H. Wilson with Mr. Don H. Clausen.  
 Mr. Mollohan with Mr. Skubitz.  
 Mr. Smith of Iowa with Mr. Keith.  
 Mr. Carey with Mr. Conable.  
 Mr. Morgan with Mr. Watson.  
 Mr. Gray with Mr. Pollock.  
 Mr. Gilbert with Mr. Minshall.  
 Mr. Brasco with Mr. Roth.  
 Mr. Montgomery with Mr. MacGregor.



Mrs. Green of Oregon with Mr. Andrews of North Dakota.

Mr. Hanna with Mr. Brock.  
Mr. O'Neal of Georgia with Mr. Blackburn.  
Mr. Bingham with Mr. Conyers.  
Mr. Hawkins with Mr. Ottinger.  
Mr. de la Garza with Mr. Caffery.  
Mr. Dent with Mr. Farbstein.  
Mr. Purcell with Mr. Feighan.  
Mr. Roybal with Mr. Powell.  
Mr. Kirwan with Mrs. Chisholm.  
Mr. Koch with Mr. Lowenstein.  
Mr. Dawson with Mr. Rosenthal.  
Mr. Scheuer with Mr. Ryan.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

#### APPOINTMENTS OF CONFEREES ON H.R. 17399, SUPPLEMENTAL APPROPRIATIONS, 1970

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17399) making supplemental appropriations for the fiscal year ending June 30, 1970, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. MAHON, WHITTEN, EVINS of Tennessee, NATCHER, FLOOD, STEED, Mrs. HANSEN of Washington, and Messrs. JONAS, CEDERBERG, MICHEL, and LANGEN.

#### NATIONAL MACHINE TOOL WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1194) to authorize the President to designate the period beginning September 20, 1970, and ending September 26, 1970, as "National Machine Tool Week."

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask the gentleman is this National Machine Tool Week with or without widgets?

Mr. ROGERS of Colorado. It should be; it could be.

Mr. HALL. That is, anything to support National Machine Tool Week?

Mr. ROGERS of Colorado. Yes.

Mr. HALL. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

Mr. GROSS. Further reserving the right to object, I wonder if the gentleman thinks this is important enough that we ought to have a rollcall vote on its passage?

Mr. ROGERS of Colorado. I am sure that we could get by without it. This is important, and we do have a number of sponsors of this resolution.

Mr. GROSS. I thank the gentleman. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 1194

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That as a tribute to the importance of the national machine tool industry to the American economy, in recognition of its efforts on behalf of the Nation in peace and for our national defense and with the realization of the role it must play in the development of the sophisticated machinery and equipment necessary to eliminate and prevent pollution, the President is authorized and requested to issue a proclamation designating the period beginning September 20, 1970, and ending September 26, 1970, as "National Machine Tool Week", and calling upon the people of the United States and interested groups and organizations to observe such week with appropriate ceremonies and activities.*

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### NATIONAL RETAILING WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1255) to authorize and request the President to proclaim the period January 10, 1971, through January 16, 1971, as "National Retailing Week."

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 1255

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in honor of the retailers and in recognition of the 60th Annual Convention of the National Retail Merchants Association to be held in New York, New York, during the period January 10, 1971, through January 13, 1971, the President is authorized and requested to issue a proclamation designating that period as "National Retailing Week" and calling upon the people of the United States and interested groups and organizations to observe such period with appropriate ceremonies and activities.*

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### CORRECTION OF VOTE

Mr. TAYLOR. Mr. Speaker, on rollcall No. 141, on May 25, 1970, I am recorded as not voting.

Mr. Speaker, I was present and voted "yea." I ask unanimous consent that the permanent Record and Journal be corrected accordingly.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### NATIONAL HAZARD: NUCLEAR POWER PLANTS

(Mr. FLOOD asked and was given permission to address the House for 1 minute, and to revise and extend his remarks and include extraneous material.)

Mr. FLOOD. Mr. Speaker, none of us here have objection to progress, and I am concerned at this time with that part of progress which deals in the realm of nuclear power and nuclear materials. We have had several examples of where those scientists and persons in charge of these programs have suggested and spoken a great deal about such programs, only to abandon them or withdraw them.

There is proposed, and talked of at least, for construction in the town of Meshopper, while not in my district, is adjacent and contiguous thereto. We have heard from our own technicians that the proposals there are largely in the realm of talk because of the nature of the breeder concerned.

I have made some statements on this and we will perhaps with the help of our own technicians proceed further to examine the potential of this plant before it is ever built. We think it is largely talk and out of an abundance of caution we must take care of ourselves.

Mr. Speaker, again I must voice concern regarding the activities of Atomic Energy Commission personnel and their evident small concern for the lives and property of fellow Americans.

Having assumed the shibboleth of "nuclear scientist," and occupying positions which are completely free from personal liability, these people have already gone far toward effectively negating our national defense by strategically placing many large nuclear power reactors in heavily populated industrial localities.

We are now confronted with the fact that some 27 of these huge repositories of radioactive poisons have been built, with another hundred planned. The smallest of these enlarged submarine-type nuclear power reactors, at full fission product inventory, is more potentially lethal than all of the chemical warfare gases ever manufactured—and there is no doubt that expert saboteurs could destroy any power reactor at will, because neither the AEC nor the public utility owner is required by law to build in such a fashion as to defend against sabotage and/or against conventional enemy action.

It is logical to assume that these monstrous containers of poison would constitute the initial targets of conventional weapons in the event of enemy action. The surprise demolition of even one of these nuclear power reactors on the densely populated Eastern Seaboard would force tens of millions of Amer-









91<sup>ST</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 11833

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IN THE SENATE OF THE UNITED STATES

JUNE 24, 1970

Read twice and referred to the Committee on Public Works

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## AN ACT

To amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the “Resource Recovery Act  
4       of 1970”.

5       SEC. 2. Section 203 of the Solid Waste Disposal Act  
6       is amended by inserting at the end thereof the following:

7       “(7) The term ‘municipality’ means a city, town, bor-  
8       ough, county, parish, district, or other public body created

1 by or pursuant to State law and having jurisdiction over the  
2 disposal of solid wastes.”

3 SEC. 3. (a) Section 204 (a) of the Solid Waste Dis-  
4 posal Act is amended by striking out all that follows “solid  
5 waste disposal programs,” in such subsection and inserting in  
6 lieu thereof the following: “the reduction of the amount of  
7 such waste and unsalvageable waste materials, and the devel-  
8 opment and application of new and improved methods of  
9 collecting and disposing of solid waste and processing and of  
10 recovering usable energy and materials from solid waste (in-  
11 cluding devices and facilities therefor).”

12 (b) Section 204 (d) of such Act is repealed.

13 SEC. 4. (a) The Solid Waste Disposal Act is amended  
14 by striking out section 206, by redesignating section 205 as  
15 206, and by inserting after section 204 the following new  
16 section:

17 “SPECIAL STUDY AND DEMONSTRATION PROJECTS ON

18 RECOVERY OF USEFUL ENERGY AND MATERIALS

19 “SEC. 205. (a) The Secretary of Health, Education,  
20 and Welfare shall carry out an investigation and study to  
21 determine—

22 “(1) economical means of recovering useful energy  
23 and materials from solid waste, recommended uses of  
24 such energy and materials for national or international  
25 welfare, and the market impact of such recovery;



1           “(2) appropriate incentive programs (including tax  
2           incentives) to assist in solving the problems of solid  
3           waste disposal;

4           “(3) practicable changes in current production and  
5           packaging practices which would reduce the amount of  
6           solid waste; and

7           “(4) practicable methods of collection and con-  
8           tainerization which will encourage efficient utilization of  
9           facilities and contribute to more effective programs of  
10          reduction, reuse, or disposal of wastes.

11       The Secretary shall from time to time, but not less frequently  
12       than annually, report the results of such investigation and  
13       study to the President and the Congress.

14          “(b) The Secretary is also authorized to carry out dem-  
15       onstration projects to test and demonstrate methods and  
16       techniques developed pursuant to subsection (a).

17          “(c) Section 204 (b) and (c) shall be applicable to  
18       investigations, studies, and projects carried out under this  
19       section.”

20          (b) The Solid Waste Disposal Act is amended by redes-  
21       ignating section 207 through 210 as sections 210 through  
22       213, respectively, and by inserting after section 206 (as so  
23       redesignated by subsection (a) of this section) the following  
24       new sections:

1 "GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

2 "SEC. 207. (a) The Secretary of Health, Education,  
3 and Welfare may from time to time, upon such terms and  
4 conditions consistent with this section as he finds appropriate  
5 to carry out the purposes of this Act, make grants to State,  
6 interstate, municipal, and intermunicipal agencies, and or-  
7 ganizations composed of public officials which are eligible  
8 for assistance under section 701 (g) of the Housing Act of  
9 1954, of—

10 "(1) not to exceed  $66\frac{2}{3}$  per centum of the cost in  
11 the case of an application with respect to an area includ-  
12 ing only one municipality, and not to exceed 75 per  
13 centum of the cost in any other case, of—

14 "(A) making surveys of solid waste disposal  
15 practices and problems within the jurisdictional areas  
16 of such agencies and

17 "(B) developing solid waste disposal plans as  
18 part of regional environmental protection systems  
19 for such areas, including planning for the reuse, as  
20 appropriate, of solid waste disposal areas and studies  
21 of the effect and relationship of solid waste disposal  
22 practices on areas adjacent to waste disposal sites;  
23 and

24 "(2) not to exceed 50 per centum of the cost of  
25 overseeing the implementation, including enforcement,



1 and modification of plans developed under paragraph  
2 (1) (B) .

3 “(b) Grants pursuant to this section shall be made upon  
4 application therefor which—

5 “(1) designates or establishes a single agency as  
6 the sole agency for carrying out the purposes of this  
7 section for the area involved;

8 “(2) indicates the manner in which provision will  
9 be made to assure full consideration of all aspects of  
10 planning essential to areawide planning for proper and  
11 effective solid waste disposal consistent with the pro-  
12 tection of the public health, including such factors as  
13 population growth, urban and metropolitan develop-  
14 ment, land use planning, water pollution control, air  
15 pollution control, and the feasibility of regional dis-  
16 posal programs;

17 “(3) sets forth plans for expenditure of such grant,  
18 which plans provide reasonable assurance of carrying  
19 out the purposes of this section;

20 “(4) provides for submission of a final report of the  
21 activities of the agency in carrying out the purposes of  
22 this section, and for the submission of such other reports,  
23 in such form and containing such information, as the  
24 Secretary may from time to time find necessary for car-

1       rying out the purposes of this section and for keeping  
2       such records and affording such access thereto as he may  
3       find necessary to assure the correctness and verification  
4       of such reports; and

5           “(5) provides for such fiscal-control and fund-  
6       accounting procedures as may be necessary to assure  
7       proper disbursement of and accounting for funds paid to  
8       the agency under this section.

9           “(c) The Secretary shall make a grant under this sec-  
10      tion only if he finds that there is satisfactory assurance that  
11      the planning of solid waste disposal will be coordinated, so  
12      far as practicable, with, and not duplicative of, other related  
13      State, interstate, regional, and local planning activities,  
14      including those financed in part with funds pursuant to sec-  
15      tion 701 of the Housing Act of 1954.

16                           “GRANTS FOR CONSTRUCTION

17           “SEC. 208. (a) The Secretary of Health, Education,  
18      and Welfare is authorized to make grants pursuant to this  
19      section to any State, municipality, or interstate or inter-  
20      municipal agency for the construction of solid waste disposal  
21      and resource recovery facilities, including improvement of  
22      existing facilities.

23           “(b) Any such grant—

24                   “(1) shall be made for a project only if—

25                           “(A) a State or interstate plan for solid waste



1 disposal has been adopted which applies to the area  
2 involved, and the project is consistent with such plan,  
3 is included in a comprehensive plan for the area  
4 involved which is satisfactory to the Secretary for  
5 the purposes of this Act, and is consistent with any  
6 standards developed pursuant to section 209, and

7 “(B) it utilizes new and improved techniques  
8 of demonstrated usefulness in reducing the environ-  
9 mental impact of solid waste disposal, in achieving  
10 recovery of energy or resources, or in recycling use-  
11 ful materials;

12 “(2) shall be made (A) in amounts not exceeding  
13 50 per centum of the estimated reasonable cost of the  
14 project as determined by the Secretary in the case of a  
15 project serving an area which includes only one munic-  
16 ipality and not exceeding 75 per centum of such cost in  
17 any other case, and (B) only if the applicant is unable  
18 to obtain such amounts from other sources upon terms  
19 and conditions equally favorable;

20 “(3) shall not be made until the applicant has  
21 made provision satisfactory to the Secretary for proper  
22 and efficient operation and maintenance of the project  
23 after completion;

24 “(4) shall not be made unless such project is con-

1       sistent with the purposes of the Federal Water Pollution  
2       Control Act and the Clean Air Act; and

3           “(5) may be made subject to such conditions and  
4       requirements, in addition to those provided in this sec-  
5       tion, as the Secretary may require to properly carry  
6       out his functions pursuant to this Act.

7           “(c) In determining the desirability of projects and of  
8       approving Federal financial aid in connection therewith, con-  
9       sideration shall be given by the Secretary to the public  
10      benefits to be derived by the construction and the propriety  
11      of Federal aid in such construction, the relation of the ulti-  
12      mate cost of the project to the public interest and to the pub-  
13      lic necessity for the project, and the use by the applicant of  
14      comprehensive regional or metropolitan area planning.

15          “(d) (1) Not more than 15 per centum of the total of  
16      funds appropriated for any fiscal year and available for  
17      purposes of this section shall be granted for projects in any  
18      one State.

19          “(2) Of the sums granted for projects in any one State  
20      in any fiscal year, not more than 10 per centum shall be  
21      granted in such year for any single project in such State;  
22      except that, in the case of a State for which less than 10  
23      project applications which meet the requirements of this sec-  
24      tion have been submitted (prior to such date as the Secretary



1 shall prescribe) for a fiscal year, at least 10 per centum  
2 of such sums shall be granted for each such project.

3 “(3) The Secretary shall prescribe by regulation the  
4 manner in which this subsection shall apply to a grant under  
5 this section for a project in an area which includes all or part  
6 of more than one State.

7 “RECOMMENDED STANDARDS

8 “SEC. 209. (a) The Secretary of Health, Education,  
9 and Welfare shall, in cooperation with appropriate State,  
10 interstate, and regional and local agencies, within eighteen  
11 months following the date of enactment of the Resource Re-  
12 covery Act of 1970, recommend to appropriate agencies  
13 standards for solid waste collection and disposal systems  
14 (including systems for private use) which are consistent  
15 with health, air, and water pollution standards and can be  
16 adapted to applicable land use plans.

17 “(b) In addition, the Secretary of Health, Education,  
18 and Welfare shall, as soon as practicable, recommend model  
19 codes, ordinances, and statutes which are designed to imple-  
20 ment this section and the purposes of this Act.”

21 SEC. 5. (a) Section 213 (a) of the Solid Waste Dis-  
22 posal Act (as so redesignated by this Act) is amended by  
23 striking out “and” after “1969,” and by inserting before  
24 the period at the end thereof the following: “, not to exceed

1 \$83,000,000 for the fiscal year ending June 30, 1971, not  
2 to exceed \$152,000,000 for the fiscal year ending June 30,  
3 1972, and not to exceed \$216,000,000 for the fiscal year  
4 ending June 30, 1973. The sums so appropriated shall re-  
5 main available until expended”.

6 (b) Section 213 (b) of such Act (as so redesignated)  
7 is amended by striking out “and” after “1969,” and by in-  
8 serting before the period at the end thereof the following:  
9 “, not to exceed \$17,500,000 for the fiscal year ending June  
10 30, 1971, not to exceed \$20,000,000 for the fiscal year end-  
11 ing June 30, 1972, and not to exceed \$22,500,000 for the  
12 fiscal year ending June 30, 1973”.

13 (c) Section 213 of such Act (as so redesignated) is  
14 further amended by adding at the end thereof the following  
15 new subsection:

16 “(c) Such portion as the Secretary may determine, but  
17 not more than 1 per centum, of any appropriation for  
18 grants, contracts, or other payments under any provision  
19 of this Act for any fiscal year beginning after June 30,  
20 1970, shall be available for evaluation (directly, or by  
21 grants, or contracts) of any program authorized by this  
22 title.”



1        SEC. 6. The amendments made by this Act shall be  
2 effective for fiscal years beginning after June 30, 1970.

Passed the House of Representatives June 23, 1970.

Attest:

W. PAT JENNINGS,

*Clerk.*

91<sup>ST</sup> CONGRESS  
2<sup>D</sup> SESSION

H. R. 11833

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## AN ACT

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To amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

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JUNE 24, 1970

Read twice and referred to the Committee on Public Works









# **DIGEST** of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

For actions of July 23, 1970  
91st-2nd; No. 125

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HIGHLIGHTS: House committee reported farm bill.  
House committee voted to report (but did not actually report)  
food stamp bill.

### HOUSE

#### 1. AGRICULTURE COMMITTEE ACTION.

Reported HR 18546, the general farm bill (H. Rept. No. 91-1329). p. H7142  
(It was announced that this bill would be considered on the floor the latter  
part of next week, subject to a rule being granted. pp. H7114-5)

Voted to report (but did not actually report) HR 18582 amended, to amend  
the Food Stamp Act of 1964, as amended. p. D809

#### 2. APPROPRIATIONS. It was made in order to consider one day next week a joint resolution making further continuing appropriations for FY 71. p. H7077

Passed H.R. 18515, Labor-HEW appropriations bill, FY 71. pp. H7092-114

3. MEAT. Rep. Berry discussed the matter of imported meats and stated "Congress must take action now to protect our cattle farmers." pp. H7127-9
4. POLLUTION. Rep. Monagan urged Justice to take action against those who dump mercury wastes into the Nation's waterways. p. H7131
5. UNEMPLOYMENT COMPENSATION. Agreed to the conference report on HR 14705, extending and improving the Federal-State unemployment compensation program after rejecting a recommittal motion with instructions that the House managers agree to the Senate amendment which would include farmworkers. pp. H7077-7085
6. ADJOURNED until Monday, July 27. p. H7132

SENATE

7. FLOOD CONTROL; RIVERS. Passed with committee amendments S. 3547, to authorize the Narrows Unit, Missouri River Basin Project, Colorado. pp. S11951-52
8. WASTE DISPOSAL. Committee on Public Works reported with amendments, S. 2005, to provide financial assistance for the construction of solid waste disposal facilities (Rept. No. 91-1034). p. S11957
9. WATERSHED. Sen. Randolph announced that the Committee on Public Works approved, on July 16, the following watershed projects: Spadra Creek, Ark.; Upper Petit Jean, Ark.; Headwaters of the Chattooga, Ga.; North Oconee River, Ga.; Lost River, Ind.; St. Mary's River, Md.; Upper Turtle River, N. Dak.; Pine Valley, Oregon; Rocky Creek, S.C.; Hog Creek, Tex.; and Upper Cibolo, Tex. The committee also approved the Mobile Harbor, Ala., Theodore Ship Channel under the Flood Control Act of 1965. p. S11969
10. FARMWORKER. Sen. Mondale protested the elimination of farmworker coverage from HR 14705, the Unemployment Security Amendments of 1970, submitting for the Record a newspaper editorial as further evidence of the attitude that the farmworker is expendable, his problems not being a priority item. p. S11980

EXTENSION OF REMARKS

11. APPALACHIA. Rep. Evins, Tenn., placed in the Record a newsletter, summarizing the accomplishments of the Appalachian Regional Development Program in Tennessee. p. E9654
12. POLLUTION. Rep. McDonald, Mich., asserted that "until each of us accepts the responsibility for his own actions, pollution will not end". p. E6982









91ST CONGRESS }  
2d Session }

SENATE

{ REPORT  
{ No. 91-1034

RESOURCE RECOVERY ACT OF 1970

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REPORT

OF THE

COMMITTEE ON PUBLIC WORKS  
UNITED STATES SENATE

TO ACCOMPANY

S. 2005

TOGETHER WITH AN INDIVIDUAL VIEW



JULY 23, 1970.—Ordered to be printed

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(II)



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## RESOURCE RECOVERY ACT OF 1970

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JULY 23, 1970.—Ordered to be printed

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Mr. MUSKIE, from the Committee on Public Works,  
submitted the following

## REPORT

together with an

## INDIVIDUAL VIEW

[To accompany S. 2005]

The Committee on Public Works, to which was referred the bill (S. 2005) to amend the Solid Waste Disposal Act, as amended, relating to financial assistance for the construction of solid waste disposal facilities, improving research programs pursuant to such Act, establishing a National Commission on Materials Policy, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

## GENERAL STATEMENT

Solid waste is the residue of production and consumption—a by-product of air and water pollution control—the litter that people promiscuously discard on the countryside—the “unusable” overburden of mining operations and the inedible remainder of agricultural production.

Solid waste falls into two categories: (1) planned disposable materials which are part of the Nation's production and consumption patterns, and (2) resources which have no known or economic use. In both instances solid waste is almost always a resource which, with ingenuity, can be used and re-used.

This Nation has always enjoyed resource abundance and has acted as though that abundance would last forever. Studies prepared for the Senate Committee on Public Works, testimony before the Subcommittee on Air and Water Pollution, and information generally available suggest that anticipation of continued resource abundance is not only unwise—it is folly.

Our resources fall in three categories—renewable, nonrenewable, and recoverable. Many, including forest and agricultural resources, are renewable resources. Nonrenewable (energy) resources produce only small amounts of solid waste while contributing substantially to air and water pollution problems if uncontrolled. Recoverable resources are those which maintain useful physical or chemical properties throughout their process of use and therefore can be continuously recycled in the production-consumption process.

And the nation has no choice. Consumption increases at a greater rate than population growth. Exhaustion of the Nation's resource base is a very real possibility. Already some industries see recycled waste as a more economic source of materials than primary sources.

But this recognition has neither reversed the trend toward greater waste generation nor reduced the burden on communities and other units of government which have assumed, albeit unwillingly, in some cases, the task of waste disposal.

Community waste disposal has, for centuries, been solved by a simple method—combustion. Open burning dumps in less urban areas and huge incinerators in major communities have provided major sources of stench and air pollution.

Today few communities are allowed the luxury of simple waste combustion. Most areas of the nation have turned to sanitary landfills (most of which are not at all sanitary) and "clean" incinerators (many of which are not at all clean). In both cases a solid waste problem is solved, but often air and water pollution problems result, and resources are always wasted.

This legislation is designed to develop systems which will change the present method of dealing with solid waste problems of communities, of farms, and of industries. The intent of this bill is to stimulate the development of resource recovery methods which will provide for more economic use of wastes.

The bill would authorize intensified research and demonstration of methods to improve collection and transportation of wastes, and development of environmentally safe methods to dispose of non-reusable waste residues. In those cases where wastes are too toxic for traditional disposal methods, the bill would authorize a study of the development of national toxic waste disposal sites. And, for those wastes which can be converted to energy, the bill would authorize development of efficiency energy conversion units.

The Committee carefully evaluated the desirability of legislation to provide direct financial assistance to communities to construct solid waste disposal facilities. This provision, included in S. 2005 as originally introduced, was rejected for three reasons: (1) construction grants at this time could lock in existing conventional technology, (2) even clean incinerators and sanitary landfills would not conserve resources, and (3) a large Federal grant authorization program at this time might retard present community efforts unless appropriations kept pace with authorizations; which is not likely.

The Committee believes that future Federal financial assistance to communities for construction of facilities may be necessary. Demonstration systems developed pursuant to this act will provide guidance as to what kinds of construction should be assisted, what recovery



techniques will be most economical, and what collection innovations will most effectively reduce the cost of waste handling.

Further, other studies authorized by this bill will provide insights into methods to reduce the production of waste in packaging, in manufacturing of goods, design of vehicles and other consumer goods which are discarded after use.

Finally the committee hopes that the study of existing tax policies, depletion allowances and other economic incentives and disincentives will indicate how to encourage production practices which reduce waste or use of materials which can be recycled.

Through use of planning funds made available in this legislation, as well as the training grants to develop needed personnel, communities and States should be able to upgrade existing programs and design better programs for the future.

The National Materials Policy Study should provide the Nation with needed guidance for future conservation of resources by identifying future national materials requirements as well as a study of the materials-use chain.

### HEARINGS

On April 10, 1969, the Subcommittee on Air and Water Pollution began hearings on current solid waste collection, transport, and disposal practices, and the need for new legislation in Boston, Massachusetts. On April 29, 1969, Senator Edmund S. Muskie, Chairman of the Subcommittee on Air and Water Pollution, introduced S. 2005, the Resource Recovery Act of 1969. Subsequently, Senator J. Caleb Boggs introduced the National Materials Policy Act of 1969 (Amdt. No. 153). During this period additional hearings were held in Detroit, Michigan, Jacksonville, Florida, and Washington, D.C. In all, 7 days of hearings were held in 1969.

Hearings were reconvened on February 20, 1970, to consider S. 2005 and S. 3469, the Wastes Reclamation and Recycling Act of 1970, introduced by Senator Scott for the Administration. Subsequently, an additional 11 days of hearings were held in Washington, D.C., and a field hearing was held in San Francisco, California.

A total of 18 days of hearings were held by the Subcommittee on Air and Water Pollution during 1969 and 1970. The Subcommittee heard testimony from more than 140 witnesses representing Federal, State, and local government, private citizens, expert public health, environmental, and engineering specialists, and the private sectors of the industry.

Subsequent to the hearings Senator Gaylord Nelson introduced S. 3665, concerning packaging practices and disposal fees, and Senator Jacob Javits offered Amendment No. 705, providing for a disposal charge on all new or existing motor vehicles. While these proposals were offered too late for attention in the hearings, studies to explore their potential have been authorized in title III of this bill.

### PURPOSES OF LEGISLATION

#### AMENDMENTS TO PURPOSES OF THE ACT

The purposes of the Solid Waste Disposal Act of 1965 would be expanded by this bill to reflect emphasis on recycling and recovery of resources, rather than waste disposal.

## DEFINITIONS

Under the Solid Waste Disposal Act of 1965, the Secretary of the Interior has had a limited research authority "with respect to problems of solid waste resulting from the extraction, processing, or utilization of minerals or fossil fuels where the generation, production, or reuse of such waste is or may be controlled within the extraction, processing, or utilization facility or facilities and where such control is a feature of the technology or economy of the operation of such facility or facilities." In this bill, no further authorization is made for programs within the Department of Interior. The definition of "Secretary" in Section 203(1) is amended to refer only to the Secretary of Health, Education, and Welfare. Under the President's Reorganization Plan No. 3, 1970, all functions under this Act would be transferred to the new Environmental Protection Agency. The Committee expects the administrator of the solid waste program to make use of the expertise in solid waste management within the Bureau of Mines as well as other Federal agencies by contract or inter-agency agreement.

This section would also add new definitions of "municipality," "intermunicipal agency," "recovered resources," and "resource recovery system."

A "municipality" includes any public body with jurisdiction over solid management, including any city, town, borough, county, parish, district, or Indian tribe or authorized Indian tribal organization. In instances where there is an unincorporated community which would not be eligible for a grant by reason of the fact that such community is not a "municipality," such a community would receive a grant by working through the county government of the county in which it is located. The county in such case could establish an agency for the purpose of facilitating the application for and use of the grant by the citizens of the community involved.

## RESEARCH

While there has been considerable research provided for under the Solid Waste Disposal Act of 1965, the bill would require that the Secretary give increased emphasis to the development and demonstration of new and improved methods for the collection and disposal of solid wastes and recovering useful materials and energy. In furtherance of this program, the Secretary is directed to enter into grants and contracts to advance knowledge relating to—

(1) the potential public health and welfare effects of the environmental release of materials present in solid wastes and the development of methods to eliminate any adverse effects;

(2) the operation and financing of solid waste disposal programs;

(3) reduction of amounts of solid wastes, and recoverable components;

(4) the development and application of new and improved methods for the collection, separation and disposal of solid wastes, especially methods for recovering materials and energy; and

(5) the identification of solid waste components and potentially recoverable materials and energy.



Although considerable progress has been observed in solid waste management research efforts, the Committee feels that such efforts have not been adequate to cope with the steadily increasing volumes and amounts of solid wastes.

Solutions to the solid wastes problems facing this Nation require application of the knowledge and expertise of people from both the public and private sector. The Committee does not believe that capabilities of the private sector have been adequately utilized.

### *Public Health*

Although there is a long association between health hazards and solid wastes, there are insufficient data to permit quantitative estimates of solid waste-disease relationships. Further research is needed to define these relationships; for example, the relationship between poorly managed solid waste collection, transport, and disposal operations and vectors of diseases, such as cockroaches, rats, and flies.

### *Environmental Effects*

In recent years there has been a shift in the emphasis of environmental quality goals from the control of pollutants to the maintenance and enhancement of the quality of air, water, and land resources. Environmental considerations preclude the use of some traditional solid waste disposal alternatives such as low-lying land as landfill sites. Therefore, it is essential to develop solid waste collection and disposal methods compatible with environmental quality policies.

The Committee believes that greater attention must be given to the interrelationships between air and water pollution control activities and solid waste disposal. Long-term reliance on incineration of solid wastes does not appear compatible with anticipated ambient air quality standards. Sanitary landfills may involve degradation of water quality. These methods must be made compatible with other environmental demands, and new methods must be found.

### *Waste Management*

Research is needed on methods for financing solid waste management systems and operating such systems efficiently and economically. Insufficient data are available to evaluate the cost effectiveness of alternative waste management systems. More complete information is needed on the interrelationship of regional economics and amounts of solid wastes generated economics of scale in solid waste management, and the economics of technologies now available or under development.

The current annual cost to collect, transport, and dispose of urban solid wastes is \$4.5 billion. This figure does not include the internal costs to industry and agriculture for solid waste management, householder and institutional costs for storage and handling of refuse, losses in property values due to inadequacies in collection and disposal of solid wastes, or individual medical or loss-of-health costs from the various forms of pollution and inadequate control of disease vectors.

And the quantities of solid wastes are increasing. In testimony this year Leonard S. Wegman presented data showing that paper consumption has risen about 100 percent since 1950, and plastic consumption has risen 759 percent in the same period.

Testimony indicates that municipalities spend \$8 to \$20 per ton to collect and deliver refuse to the disposal point. Disposal costs range from \$2 per ton for a simple landfill up to \$7 to \$10 per ton for a modern

high temperature incinerator with effective environmental protection systems. Combined collection and disposal costs thus vary from \$10 to \$30 per ton.

Present methods of obtaining this money may differ. Municipalities with the high refuse volumes apply ad valorem property taxes and include refuse-related disbursements in their annual expense budget. Often these assessments against taxable property are inequitable. User charges should be considered, particularly ones related to a household's production of wastes.

### *Agricultural Wastes*

The Committee believes special emphasis should be given to research on the recovery and reuse of agricultural crop wastes which amount to an estimated 550 million tons annually. Agricultural wastes represent the largest segment of the nation's solid waste. Moreover, the development of economical methods for reusing, recycling, or recovering useful materials from agricultural wastes could serve the beneficial purpose of improving the farm economy.

### *Demonstration*

Solid waste management traditionally has involved systems for collection, transport, storage, and ultimate disposal. The process has been to remove solid wastes from the point of discard to some remote area for burial or incineration. This waste of vital resources is a luxury the Nation can no longer afford. Attention must be focused on "closing the cycle" through recycling and resource recovery. This new emphasis on separation and reuse would be required by this bill.

The Committee believes that more attention should be given to mechanization in the collection and transportation of solid wastes and increased productivity per unit of labor, consistent with public health and welfare and occupational health and safety. Although this activity represents 80 percent of current costs, only 10 percent of current research dollars are devoted to improving waste handling methods.

Collection techniques offer the greatest potential for improvement in more efficient methods for handling solid wastes. Pipeline transport of solid wastes offers an important alternative to truck collection over both short and long distances.

Although such installations in the United States are presently only in the design stage, such as the system at Florida's Disney World resort, pneumatic transport of domestic solid wastes is operational in Sweden. In Sundeburg, Sweden, there is a system servicing 250 apartments. The wastes are swept along in an air stream for 1.7 miles to an incinerator. The incinerator is part of a space heating plant which, in turn, distributes heat to the residential area. At the present time the system operates only 1 hour daily to service the 250 apartments. However, with 5,000 apartments planned in the area, it will require 20 hours of operation a day.

Another possibility is solid waste slurry pipelines. For this, however, there is no direct previous experience. Pipelines have been constructed to transport coal, iron ore tailings, and fly ash. When costs over 25 years are considered, it may well be that pipeline transport of solid wastes is the most economic means for collection. Unfortunately, current solid waste management schemes have focused on short-term solutions.



The processes of compaction, baling, shredding, and other volume-reduction procedures, will assist in preparation of wastes for resource recovery. Methods of separation deserving particular attention are mechanical separation, air separation, flotation, magnetic and heavy media separation, vibration, and chemical treatment.

Much has been written on the high cost of incineration and resultant air and water pollution impacts. Adequate technology does exist. There is a need to establish design and operating guidelines for incinerators. This effort should focus on improved methods which result in usable energy, chars, liquids, and gases.

The committee was particularly interested in research efforts to produce electrical energy using municipal wastes as the fuel.

One method under study, for example, will reduce waste disposal costs to \$1 per ton as compared to clean incineration costs of \$6 to \$8 a ton. This reduction results from the value of recovered electric energy and other recoverable materials.

The cost of development of the system through full-scale operating prototype is approximately \$19,500,000. It is the type of technological development which should be considered for funding under this section.

There is considerable potential for metal and mineral recovery and reuse from incinerator residues. Significant progress has been made in this regard by the College Park Metallurgy Research Center. Residue samples are processed at a rate of approximately 1,000 pounds per hour. The process involves a series of mechanical operations including shredding, screening, grinding, and magnetic separation. The products are a metallic iron concentrate, a clean nonferrous metal composite, clean fine glass fractions, and a fine carbonaceous ash tailing. Processes of this type may hold significant potential for resource recovery and reuse and should be demonstrated on a full-scale basis if, after separation of other recoverable resources, incineration proves to be the most economical means of metal extraction. Also the committee would expect that any demonstration of any incinerator technique would, at a minimum, be certified as in compliance with air quality standards and possibly be integrated with a demonstration of incinerator pollution control technology.

Coal wastes are a potential source of building materials.

Some nations have made great strides in using coal wastes for housing and housing components. In Sweden, for example, coal wastes are the primary raw material for building construction and eclipse all other materials in volume used. Over 80 percent of all flat roofs in Sweden are composed of a structural product manufactured from coal ash. In England coal ash is used in constructing 13 percent of all walls. In the United States, however, only about 16 percent of all coal ash, less than 1½ percent of the Nation's total coal wastes, is utilized.

Current U.S. annual production of coal ash alone exceeds 30 million tons. Annual production of all solid coal wastes exceeds at least 120 million tons.

Efforts to recycle coal ash and fly ash were discussed during the hearings on this bill by Joseph W. Leonard, director, Coal Research Bureau, West Virginia University. This research effort involves a pilot plant to produce fired structural products from coal ash. The Committee recommends that greater efforts be made to find and utilize markets for these products.

Methods are under development to recycle organic wastes through composting, wet oxidation, anaerobic digestion, and biofractionation, among others. Testimony indicates, however, that this potential for resource recovery has not been adequately explored. A noticeable deficiency in existing demonstration projects was the failure to include consideration of methods and mechanisms to market the resultant by-products.

### *Waste Inventories*

The planning of efficient solid waste management systems, particularly resource recovery systems, requires an accurate knowledge of the individual materials or components of solid wastes.

In some cases these include materials which have been demonstrated as toxic or hazardous in other contexts. These materials include cadmium, lead, beryllium and other trace materials. At the same time there are materials which, when subjected to various treatment processes, form toxic substances. Plastics containing chlorine are a case in point. When incinerated, such plastics are converted to volatile chlorine products which may have an adverse effect on public health and welfare. The Committee expects that an immediate effort will be made to acquire to the extent not now available detailed knowledge of the components of solid wastes.

### GRANT LIMITATIONS

Direct grants of public funds to private profit making organizations do not provide the degree of supervision, control of performance, or utility of work product which contracts assure. Therefore, the Committee declares in new Section 205 that no grant under any program of the Solid Waste Act shall be made to a profit making organization. Contracts with such an organization, in which services are supplied, would be available under the terms of the Act.

### PLANNING GRANTS

The new Section 207 of the Solid Waste Disposal Act is a revision of section 206 of existing law, which authorizes grants for State and interstate planning activities. This section would extend planning grants to municipal and intermunicipal agencies, and metropolitan or regional areas eligible for planning grants under Section 701(g) of the Housing Act of 1954. It also increases the Federal share of costs from 50 to 66½ per cent in the case of a single municipality or State planning unit and 75 per cent in the case of multiple jurisdictional units, whether interstate or intermunicipal.

These grants are available for four planning activities: surveys of solid waste disposal practices and problems in the jurisdiction involved; developing and annually revising solid waste management plans providing for recycling or recovery whenever possible and including the reuse of solid waste disposal areas and studies of areas adjacent to waste disposal sites; developing proposals of resource recovery systems to be submitted for selection under the demonstration grant program of Section 208; and planning programs for the removal and processing of abandoned motor vehicle hulks. The Committee intends that such grants be available for the support of State



and multi-jurisdictional planning agencies, on an annually renewable basis, in order to provide for the updating of plans and the continuity of planning.

To qualify for planning grants, an applicant must meet the following conditions:

(1) Designate or establish a single agency as the sole agency to discharge for the area involved the responsibilities contemplated by this section which agency can have other planning responsibilities;

(2) Indicate how areawide planning of effective solid waste disposal programs provision will be made for the consideration of such public health factors as population growth, urban and metropolitan development, land use planning, water and air pollution control, and the feasibility of regional disposal programs;

(3) Set forth how the grant will be expended so as to carry out the purposes of this section;

(4) Provide for submission of reports by the agency on its activities, and for submission of such other information as the Secretary may prescribe; and

(5) Provide for appropriate fiscal control and accounting procedures.

Grants under this section shall be made only if the Secretary finds that the planning will not duplicate, but will be coordinated with, other related planning activities.

Although grants for planning are conditioned upon the designation of a single agency as the sole agency for carrying out the purposes of such section, similar to provisions in both the Clean Air Act, as amended, and the Federal Water Pollution Control Act, as amended, the Committee recognizes that Federal pollution control agencies may be organized into a single Environmental Protection Agency. The Committee hopes that State and municipal governments will organize so that environmental control policies, regulations, and procedures are compatible, harmonious and expeditious. The committee would, therefore, like to make clear that agencies designated for the purposes of this Act may be the same agency with responsibility to implement the Clean Air Act and the Federal Water Pollution Control Act. The Committee also hopes that any reorganization at the State, municipal, or local level will reflect the distinction between environmental control agencies and operating agencies with an impact on the environment.

#### RESOURCE RECOVERY SYSTEMS

After analysis of the completed hearing record on pending solid waste legislation, particularly testimony on Section 208 of the bill, the Committee determined that the authorization of a new unrestricted construction grant program for solid waste disposal is not justified at this time. As the bill reported from the Committee clearly reflects, there is an urgent need to redirect the thrust of waste management from disposal to the maximum recovery of reusable materials and energy. The authorization of a construction grant program at this time could result in a massive commitment to presently available technology oriented towards disposal. To avoid stimulating investment in inadequate technology the Committee has substituted a system demonstration provision for the proposed construction grant provision.

At the same time the Committee recognizes that many communities across the Nation, particularly rural and small municipalities, have severe waste disposal problems, with constraints on past practices of waste management resulting from compliance with air and water quality standards. The cost and administration of disposal techniques such as sanitary land fill and modern incineration are expenses that should be borne by the producers of such waste, whether industrial or residential household.

The Committee does recognize that information regarding technology developed in part pursuant to the Solid Waste Disposal Act of 1965 regarding sanitary landfill and improved incineration has not been generally available to the communities throughout the Nation. Therefore, Section 209(c) of the reported bill would authorize a greatly expanded information dissemination function for the Secretary, so that all areas of the Nation can benefit from knowledge of sound waste management practices and technology currently available.

Consistent with the judgement that the Nation cannot afford merely to dispose of the tremendous volume of material that is generated by our industrial and consuming society, especially in urban concentrations, and recognizing further that a great deal of research has been done on resources recovery, the Committee has substituted for the construction grant proposal a new program of grants to municipalities to achieve demonstration of resources recovery systems on an areawide basis. This program is designed to stimulate, in the shortest time, the development of systems of technology necessary to manage growing volumes of community wastes and achieve maximum recovery of materials and energy from such wastes.

Throughout the hearings on resources recovery, testimony was received describing various technologies and systems to achieve resources recovery. The Committee believes it is urgent national policy to move these proposals into actual application and operation in as many different areas, from large metropolitan complexes to smaller communities, as necessary to demonstrate innovative and responsive resources recovery systems. Such systems can then be applied, as appropriate, to all areas of the country in which similar problems exist.

The program would provide 75 percent Federal assistance to develop and construct advanced systems of resources recovery in various categories of communities established by the Secretary in order to demonstrate systems applicable in different urban and rural conditions.

It is the Committee's intent that the program authorized shall be one which will, in many respects, parallel the type of research and development procurement conducted by the Department of Defense and the National Aeronautics and Space Administration in the sense that the Secretary is authorized to promulgate regulations describing the categories of systems for which applications will be received, specifying that such applications are to be received by a certain date and further establishing guidelines for review of such applications.

Grants are to be awarded only to those applications which the Secretary finds to be clearly superior with respect to the system of resources recovery proposed, the economics of the system and, the potential for general application for solution of the myriad of waste problems. It should be emphasized that the selection procedure, thereby established is not competition based strictly upon low cost,



but rather is competition to stimulate innovative systems, of general application which are both economically and commercially viable and which recover the maximum amount of materials and energy.

The Committee was particularly impressed with testimony received in San Francisco describing a proposed municipal resources recovery system for the San Francisco Peninsula area, and the advanced state of development which that system proposes. The Committee received many other impressive descriptions and displays. It is the Committee's judgment that well researched methods, similar to those described in California, should be given an on-site demonstration application as soon as possible. The Nation can no longer afford to await more study and analysis and must move from the great deal of information presently available to full scale demonstration of recovery systems.

It is expected by the Committee that responsible government officials in municipalities and communities across the country will take advantage of the program proposed in the bill and will develop proposals for the most advanced and responsive systems imaginable, for consideration by the Secretary. The Committee encourages such municipalities to work very closely with relevant private industry talent and resources through contract or otherwise, to develop systems which will provide increased public service in waste management, combined with maximum recovery of materials and energy in such waste and economic viability through the use of user charges and markets for recovered material and energy.

The Committee looks upon the proposed demonstration grant program as a method of stimulating not just the development of technology and its areawide application, but it will also cause communities to study their own circumstances with respect to waste management. Through such studies, communities will be able to provide better public service to their citizens in the future and be in a position to apply systems that are developed pursuant to these demonstration grants as they become available. The Committee hopes that communities will take immediate advantage of this program, and seeks to encourage that result by Section 207(a)(3) of the reported bill, which would authorize Federal assistance to develop proposals for resource recovery demonstration grants for submission to the Secretary.

#### RECOMMENDED GUIDELINES

Section 209(a) directs the Secretary to recommend to appropriate agencies and publish in the Federal Register guidelines for solid waste recovery, collection, separation, and disposal systems, including systems for private use. These recommendations are to be developed in cooperation with State, Federal, interstate, regional, and local agencies, especially those with responsibilities in solid waste, air pollution, water pollution, or public health. The guidelines must be compatible with any air and water quality standards and applicable land use plans.

The Committee expects that such guidelines will be issued promptly for conventional solid waste management techniques such as sanitary land fill, incineration, and dumping practices, and that work will be accelerated on development of guidelines for resource recovery techniques, on the basis of research conducted under section 204 of the

Solid Waste Disposal Act and Title III of this bill. All guidelines are to be issued as soon as practicable, allowing public comment by interested parties, and, of course, revised from time to time to reflect expanding knowledge.

The Committee intends that the agency which administers this act should issue guidelines for the dumping of solid wastes into all waters, including deep ocean disposal of waste originating in the United States. These guidelines will be obligatory standards for federally operated, licensed, or permitted activities.

Section 209(b) directs the Secretary to recommend model codes, ordinances, and statutes to implement the guidelines and the general purposes of the Act which should assist communities in developing optimum programs for administering local responsibilities.

In order that local jurisdictions with solid waste management responsibilities make maximum use of existing technology, to which they ordinarily might not be exposed, section 209(c) directs the Secretary to issue technical and cost information on solid waste collection, separation, disposal, recycling, and recovery methods to all relevant agencies. He is also authorized to use mobile models and other visual aids, to reach local solid waste officials in their home areas, and to arrange trips to model facilities by representatives of public and private solid waste disposal agencies or corporations for on-site review. This provision is designed to avoid the need to use Federal funds for the construction of facilities using existing and conventional technology.

#### TRAINING GRANTS

Effective manpower planning requires knowledge of the number of people in the field, how many need training, how many new recruits are needed and what kind of training programs are required to meet such needs. The Clean Water Restoration Act of 1966 asked for a report to Congress on the manpower needs of the nation's water pollution control programs. The Air Quality Act of 1967 asked for a report to Congress on the manpower training needs of the nation's air pollution control program. The report on the manpower training needs of the nation's solid waste management programs required by this amendment thus requests necessary, but heretofore unavailable data and analysis for understanding of the nation's total pollution control program.

State and City administrators have often neglected the actual nature and extent of need for expanded and new solid waste management programs and associated manpower requirements. Solid waste disposal is, however, the Nation's third largest municipal expense.

At present, most communities are not equipped to plan for the backlog of unmet manpower needs, much less for the increases anticipated as improvements are made in the solid waste disposal and resource recovery field. The studies that have been made as to present and future solid waste management manpower needs have not been adequate. A 1968 study, conducted for the National Urban Coalition, projected 13,586 potential sanitation service job possibilities in 130 cities with population of 100,000 or more. The Commission on Technology, Automation and Economic Progress (1966) claimed—without citing source or method—that 650,000 new jobs could be created through public service employment in urban renewal and sanitation.



In view of the high solid waste management labor turnover rate of up to 480%, as stated in the report of the National Academy of Sciences "Policies for Solid Waste Management" there is an urgent need to upgrade job requirements to meet newly authorized responsibilities for solid waste management. Associated with this is a need to plan and execute a comprehensive technical-training program to upgrade the skills and supply of adequately trained personnel for all levels of local and regional solid waste management.

Thus, despite the fact that 337,000 people are already directly employed in the collection, transportation, processing and disposal of urban solid wastes, the task of providing this Nation with an adequate solid waste management manpower force still remains a serious problem.

This amendment takes important first steps to provide adequate training and advancement opportunities, expand civil service coverage and enhance job prestige.

Section 210(d) would require that the Administrator of this Act study the extent and the nature of obstacles to employment and occupational advancement in the solid waste management field which may limit either available manpower or the advancement of personnel, as well as the need for additional trained personnel and the capability of present training programs. He would be required to report within a year after enactment.

The Committee feels that the study required by this Section, as partially implemented by the technical assistance provisions of the Act, will result in significant improvement in our Nation's solid-waste management efforts, maximizing career opportunities for the unemployed and underemployed. The manpower programs authorized by this bill should also serve to minimize both the high vacancy rates that exist in the jobs at the entry levels of solid-waste management programs and the under-utilization of trained personnel, costly in both dollars and worker morale.

The Committee believes the authorized occupational training projects will provide the disadvantaged with technical and remedial training to guarantee them increased opportunities for employment and career advancement in the solid waste and resources recovery management field.

This section also deals with other aspects of manpower training where expanded authority is clearly appropriate.

First, Section 210(b)(1)(A) authorizes the Secretary to provide assistance to educational institutions and other relevant organizations to provide programs designed to train persons for occupations involving the design, operation and maintenance of solid waste disposal and resource recovery programs and facilities.

Second, Section 210(b)(1)(B) authorizes the Secretary to provide assistance to train persons, including teachers and adult basic education personnel, to train or supervise persons in these occupations.

By authorizing these training programs, new ground will be broken in our Nation's efforts to insure (1) that an adequate number of trained personnel will be available to staff solid waste and resource recovery management programs, and (2) that supervisory personnel will be trained so that they are capable of meeting the increased demands made on them as a result of newly developing systems for waste management.

This section also endeavors to foster systematic exchanges of manpower information between governmental agencies, to stimulate a coordinated interagency manpower training system. It authorizes the Secretary to disseminate information which relates to outstanding teaching and training methods, materials, and curricula developed by projects assisted by the bill. The Committee also intends that reports on all other activities required by this section be transmitted to all government agencies with manpower training responsibilities.

The Committee recognizes that Congress is presently reviewing and revising the operation and administration of both manpower and environmental control programs for the purpose of improving their coordination, and expects that the administrator of this Act shall, in planning and administering the manpower programs authorized under this section, coordinate these programs to the maximum extent possible with the procedures and programs available under general manpower authorizations.

### *Pending Question*

The administrators and personnel of urban solid waste systems have long been plagued by high rates of accidents, illness, absenteeism, and labor turnover. Reliable figures for comparison are not available. But testimony indicates these rates may be the highest for any major occupational group in the Nation.

In 1967, the National Safety Council and the American Public Works Association conducted a survey of municipal safety experiences. Of the 245 cities that reported an active safety and training program, only 39 reported usable data on accident ratings. Of the 39, 12 were chosen as supplying data that could be reasonably well matched and representative of national experience. The condensed results were:

	Frequency <sup>1</sup>	Severity
Refuse handling and disposal.....	60.77	2,012
All industry.....	6.91	689
Underground mining.....	36.64	6,165

<sup>1</sup> Frequency rate =  $\frac{\text{Number of disabling injuries} \times 1,000,000}{\text{Employee hours of exposure}}$

<sup>2</sup> Severity rate =  $\frac{\text{Total man days charged} \times 1,000,000}{\text{Employee hours of exposure}}$

The Committee on Public Works, received testimony on this serious matter during hearings on resource recovery. However, since occupational safety is not within the jurisdiction of this Committee, the Committee wishes to bring it to the attention of the Committee on Labor and Public Welfare for their consideration.

### COOPERATION BY FEDERAL AGENCIES

The Federal Government is one of the largest single institutional consumers in the Nation and responsible for the generation of tremendous volumes of solid waste. It is apparent, therefore, that if environmental quality objectives are to be achieved through the proper management of solid waste such efforts must include the Federal



government. More significant, however, is the fact that the Federal government has a special responsibility to take a leadership role in proper solid waste management.

The Committee has therefore included in the reported bill a new sec. 211 which, similar to provisions which have been enacted in both the Clean Air Act and the Federal Water Pollution Control Act, would require Federal agencies to achieve proper management of solid waste in (a) their own activities, and (b) activities which they control through lease, contract, or permit.

As in the Committee's experience with air and water pollution legislation, testimony on the Solid Waste Disposal Act amendments and conducted in Washington as well as in field hearings throughout the country, revealed that many Federal agencies have a very poor record of solid waste management. Federal agencies are inclined to place important environmental quality control functions in a subordinate role to their mission. This is no longer appropriate or acceptable.

Federal agencies which generate volumes of waste have a correlative responsibility to request appropriations from Congress necessary to properly manage such waste as part of their normal operating expenses. The public will not tolerate the excuse that budget restrictions prevent compliance with waste management standards and guidelines; it is abundantly clear that the provisions of the environmental control laws do not permit the same excuse to be advanced by individuals or private organizations. Federal agencies must take the lead in overcoming the reluctance to invest funds necessary to control solid waste pollution.

The mandate in Section 211 goes to three areas of Federal activity.

First, each Federal agency having jurisdiction over any property, facility, or activity shall insure compliance with guidelines developed under Section 209 with respect to resource recovery, collection, separation, and disposal systems. Each Federal agency would be required to use the most advanced technology and management systems available to properly manage solid waste with maximum recovery of materials and energy.

Second, Section 211 would require compliance with guidelines developed under Section 209 in (1) those activities involving leases of Federal property or activity; (2) activities where, by contract, non-Federal organizations manage or operate any Federal property or facility; and (3) activities where a Federal agency issues a permit or a license for the use of Federal real property to dispose of solid waste such as the Bureau of Land Management or the United States Forest Service.

Third, Section 211 would require each Federal agency which issues permits for disposal of solid waste, such as the Corps of Engineers for the navigable waters of the United States, to consult with the administrator of this Act to insure compliance with guidelines for resources recovery, collection, separation, and disposal systems developed under Section 209.

The Committee expects that these provisions will improve the performance of Federal agencies in solid waste disposal and management. Enforcement of such requirements is always a difficult problem but the Committee expects that the public's growing concern with, and scrutiny of Federal activities will cause Federal agencies to fully

implement the provisions of this section. Federal officials are under great obligations with respect to the environment and these obligations should not be minimized. Anything less than full implementation of the provisions of Section 211 would be a malfeasance of public trust and in clear contravention of the law.

#### NATIONAL DISPOSAL SITES STUDY

Considerable recent attention has been focused on disposal of materials which present a high risk to public health and welfare because of their toxicity or mutagenic effects. Congressional attention to such hazardous materials was reflected in the Water Quality Improvement Act of 1970, which requires identification of hazardous materials and a study of liability for the cost of cleaning up such materials when discharged into the navigable waters of the United States.

Hazardous materials are often present in solid wastes. When released into the environment, they often cause ecological damage and risks to public health.

Frequently such materials are dumped into the ocean. The environmental implications of this practice are not understood. A prudent public policy necessitates discouraging or prohibiting this practice. Alternative methods must be developed and provided for disposal of these wastes.

The objective must be to dispose of these hazardous materials so that their deleterious impact is eliminated. One approach is to provide a system of national disposal sites which would be supported by user fees.

It is the opinion of the committee that further information is needed on the desirability and feasibility of a system of solid waste disposal sites for hazardous materials.

The bill directs the Secretary to prepare a report and plan for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes. The report is to include a list of materials which may endanger public health and welfare as well as current and recommended methods for disposal of these materials. This section directs that the study include disposal methods for radioactive materials, toxic chemical wastes, biological materials, and other hazardous materials.

This study would provide an inventory of disposal sites currently operated or licensed by Federal agencies including both land and water disposal sites.

The report required by this legislation should include a compilation of current practices for the disposal of hazardous materials on land and at sea, including recommendations on practices that should be discontinued.

In proposing possible sites for inclusion in a system of national disposal sites, the Secretary is expected to estimate the costs of developing and maintaining such a system. These estimates should include proposals for distributing the costs for operating such sites between public and private users of such sites, and contract arrangements for employing any expertise of the private sector to operate such sites.



## AUTHORIZATION OF APPROPRIATIONS

The bill contains specific authorizations for the research program contained in section 204 of the Act and the demonstration grant program contained in section 208. Section 216 then authorizes such sums as may be necessary for the next four fiscal years, to carry out the other programs of the Act. The amount necessary to fund these programs, including planning grants, and training grants as well as administrative expenses, is estimated to be \$114 million for four fiscal years.

In addition, section 216(b) authorizes up to 1 per cent of all appropriations under the Act to be used for evaluation of programs.

## TITLE II—NATIONAL MATERIALS POLICY

Title II, The National Materials Policy Act of 1970, creates a National Commission on Materials Policy. This Commission, which would have seven members and report to the President and the Congress by June 30, 1973, would examine the broad subject of materials selection, treatment, and use. The Commission report should seek to identify and analyze the components affecting the materials flow and articulate the method the United States should follow to achieve a national policy on materials and how that policy should be implemented.

The committee considered the question of what type of governmental unit should conduct such a study on materials policy. The committee rejected the view that the study should be undertaken by an existing unit of Government on a continuing basis. The commission will be looking critically at the existing organizational arrangements in matters related to materials policy. Therefore, it is appropriate that the study should not become a function of an existing agency. An independent commission, the committee found, would be best able to examine effectively the full breadth of materials policy questions, and then to chart a policy on materials that would be implemented on a continuing basis by an existing agency of Government.

The Commission is to be composed of seven members selected for their expertise bearing on materials problems. The Committee expects that the chairman would not be an employee of the Federal Government, with the members selected to give as wide a diversity in background and expertise as is possible.

Specifically, the Commission is empowered to study and evaluate the following topics:

- (1) The current and projected domestic demands for materials, including study of those international factors that have a direct impact on the availability of materials to be processed within the United States; economic factors affecting materials selection is also a proper aspect of study, but such studies should concentrate on domestic materials requirements;

- (2) The relationship of materials demand and use to national and international population size and the necessary enhancement of the environment; particular attention should be given to the effect of materials on the environment: the removal of materials in their raw state from the natural environment and the effect of materials selection on environmental enhancement;

- (3) Methods for coordinating materials policy with the basic

purpose of this Act: the recycling of materials to preserve their usefulness, to enhance environmental quality and conserve materials;

(4) An evaluation of methods to exploit existing scientific knowledge in the processing of materials;

(5) Methods for improving coordination and cooperation among Federal departments and agencies in materials demand, use, and study. The Committee considers this to be a major topic for study when it is realized that nearly every agency of Government has a materials-related function, either in research, planning, pollution control, standards, or supply, and national materials policy must be woven from the threads of existing policy and knowledge; and

(6) Study the feasibility and the desirability of creating, or fostering the creation of, computer inventories of national and international material supplies and requirements.

For the purpose of this Act, materials are defined as any physical substance, whether animal, vegetable, or mineral, that is utilized by industry for processing and sale. The Committee has excluded foodstuffs from this definition. The Committee, however, intends that the definition of materials includes products used in the production of foodstuffs.

### *History*

This amendment has direct precedent in the work of President Truman's Materials Policy Commission, better known as the Paley Commission. The Commission, headed by William Paley of the Columbia Broadcasting System, was created at the time of the Korean War. It sought to examine the nation's material status, particularly in reference to national stockpiles of strategic materials.

Despite the fact that the Commission's report was considered to be an excellent one within the materials community, the recommendations of the Paley Commission failed to generate significant legislative action.

In July 1967, Senator Boggs, as a member of the Committee on Public Works, requested that the Legislative Reference Service of the Library of Congress undertake a study of the question of materials and their relation to problems of solid waste disposal. The Science Policy Research Division of the Legislative Reference Service prepared an initial study on the subject, "Availability, Utilization, and Salvage of Industrial Materials." It was published as a print of the Senate Committee on Public Works on January 8, 1968.

Subsequently, the Library of Congress assisted in the organization of an ad hoc committee of materials experts to examine in more detail the need for a national materials policy. A second, more thorough report, "Toward A National Materials Policy," was published by the Senate Committee on Public Works in April 1969.

The report's main conclusion was stated in its proposal for creation of a National Commission on Materials Policy:

\* \* \* it is judged timely and essential that a national commission be chartered and organized to study the present stance of the United States with respect to materials, and to make recommendations based on its findings. The objectives of the commission should be:



1. To identify the relationship of the broad subject of materials in all their aspects to national goals and objectives;
2. To define materials goals and objectives of the Nation;
3. To contribute to a broader understanding and awareness of materials problems and opportunities;
4. To maximize, to the extent permitted by the constraints essential to the national interest, the opportunities for free enterprise to function efficiently in the materials field; \* \* \*

Subsequently, an amendment to establish such a national commission was introduced in the Senate to pending solid waste legislation on September 9, 1969. The amendment was sponsored by 11 Senators.

### TITLE III—RESOURCE RECOVERY INVESTIGATIONS

Title III of the bill authorizes a 2-year study into a variety of issues related to resource recovery. The study is authorized to be funded at \$2 million. Any recommendations for development of technology would be demonstrated under authority provided in section 204 of the Solid Waste Disposal Act.

This title provides for the investigation of means for recovering materials and energy from solid waste and for analysis of the market demand and impact of recovered resources.

Present economic factors influencing resource recovery include (1) assured market for recycled and reclaimed materials, (2) identification of potential markets and, (3) uses for recycled materials.

The study also calls for an investigation of the use of Federal procurement to market recycled materials and energy. The committee anticipates that any examination of the use of Federal purchasing power to create a market for recovered resources will include review of the marginal economics involved in purchasing materials which would otherwise have to be burned or buried. The committee encourages Federal agencies not to await the results of this investigation before committing themselves to the recovered materials market, but to participate in the intent of this act by an energetic recycling purchasing policy.

This title also provides for study of methods to provide more efficient utilization of solid waste facilities through collection, separation, and containerization and for investigation of possible changes in product characteristics, production, and packaging practices to reduce the volume of wastes.

Another investigation under this title relates to a wide range of inducements offered by the Federal Government in the form of tax incentives and depletion allowances to encourage the exploitation of raw materials. While these policies may be consistent with the need to develop resources, they may be a disincentive to the recapture and reuse of materials.

For example, recycling of steel in junked cars is a major solid waste problem but the 15 percent mineral depletion allowance reduces the cost of ore relative to the cost of scrap encouraging the use of ore and thereby discouraging the use of scrap.

Since there is already a limited market for junked cars an increase in the price of ore due to elimination of the depletion allowance could affect the flow of scrapped vehicles from auto graveyards to steel mills.

There are numerous other examples of tax incentives which may be disincentives to resource recovery. The full effects of these existing policies and incentives on conservation and recycling are not known. By adapting these policies to new national priorities, a substantial incentive could be created to recycle usable products which now only contribute to a growing pollution problem.

To examine the interrelationship of these public policies and efforts to encourage recycling, the committee has included in this title a provision suggested by Senator Eagleton to study the effect of existing subsidies, percentage depletion allowances, capital gains treatment, and other economic incentives and disincentives upon resource recovery and recycling. In conducting this study, the Secretary would also have to consider the likely effect of modifying or eliminating such subsidies and tax policies and make recommendations thereon.

This study would require a study of recommended incentives and disincentives (including grant programs) to accelerate recycling, with special emphasis on motor vehicle hulks, and on examination of the necessity and method of imposing disposal charges on vehicles, as well as on packaging, containers, and other manufactured goods. The latter concept, proposed by Senator Nelson would require the imposition of disposal charges on products reflecting the cost of final disposal, the value of recoverable components of the item, and any social costs associated with nonrecycling or uncontrolled disposal of such goods.

Senator Nelson's proposal, as well as Senator Javits' amendment which would have imposed a fee on motor vehicles sufficient to cover the cost of disposal of vehicle hulks, were of great interest to the committee. However, both the Nelson and Javits legislation would require consideration by the Senate Committees on Finance and Commerce prior to enactment. It was the conclusion of the committee that these two proposals should be referred to these committees for comment and later action. This action of the Committee on Public Works should not be interpreted as rejection of the concepts included in S. 3665 and amendment 705. Evidence presented at the hearings suggests that some products will require disposal charges in order to assure orderly marketing and recovery. Identification of the specific amount of any charge and the manner in which it might be levied is, however, beyond the jurisdiction of the Senate Committee on Public Works.

The study required by this section should include a discussion of the above question in order that the appropriate congressional committees can carry out their responsibilities.

Also, the study of disposal charges and other incentives to accelerate recycling of motor vehicles and other products should include careful examination of the system recommended by Leonard S. Wegman which would require the imposition of a flat fee on all waste produced, with the revenue to be used to finance waste disposal and recovery facilities. This is a concept which might subsequently be demonstrated under section 204 of the Solid Waste Disposal Act.

Legislation offered to establish financial assistance to dispose of motor vehicles was not included because little evidence was available in the hearing record to substantiate the need for direct grants to the States to dispose of abandoned cars. Approximately 1 million motor vehicles are abandoned each year, amounting to 1 to 2 million tons of waste. Since urban waste amounts to approximately 180



million tons annually, abandoned motor vehicles comprise only 0.6 to 1.1 percent of the Nation's urban solid waste problem. The committee was concerned that the Federal costs of a grant program would be borne by the general taxpayers, without transferring the costs of disposal to the vehicle owners who are responsible for creating this form of waste.

Title III authorizes the Secretary of Health, Education, and Welfare to perform all these studies. It is expected he would delegate this function to the Bureau of Solid Waste Management. The committee intends that when Reorganization Plan No. 3, 1970, takes effect, this study would be transferred with the other functions of the the Bureau of Solid Waste Management to the new Environmental Protection Agency.

### LEGISLATIVE HISTORY

The Solid Waste Disposal Act of 1965 (P.L. 89-272, Title II) authorized a program to develop efficient means of collecting and disposing of the millions of tons of solid wastes generated by our society each year.

Under that legislation the Secretary of Health, Education and Welfare was authorized

1. Research, training, demonstrations, surveys, and studies relating to the operation and financing of solid waste disposal programs, development and application of new and improved methods of solid waste disposal programs, development and application of new and improved methods of solid waste disposal and the reduction of the amount of such waste and unsalvageable waste materials, and

2. To make grants to states and interstate agencies for developing solid waste disposal plans.

The Secretary of the Interior was authorized under the Solid Waste Disposal Act to conduct research on problems of solid waste resulting from the extraction, processing, or utilization of minerals or fossil fuels.

In 1968 a simple 1-year extension of the Solid Waste Disposal Act was authorized by P.L. 90-574, title V.

### NEED FOR LEGISLATION

Solid wastes are defined in the Solid Waste Disposal Act as "garbage, refuse, and other discarded materials, including solid waste materials resulting from industrial, commercial, and agricultural operations, and from community activities." As with other wastes (liquid and gaseous), solid wastes management can be separated into component activities including generation, storage, collection, transport, recovery of useful materials, and ultimate disposal.

The relationship between public health and improper disposal of solid wastes has long been recognized. Rats, flies, and other disease vectors breed in open dumps and in residential areas or other places where food and harborage are available. A recent literature search by the Public Health Service indicated association between solid wastes and 22 human diseases.

Implications for public health and other problems associated with water and air pollution have been linked to mismanagement of solid wastes. Leaching from open dumps and poorly engineered landfills has

contaminated surface and groundwaters. Contamination of water from mineral tailings may be especially hazardous if the leachate contains such toxic elements as copper, arsenic, and radium. Open burning of solid wastes or incineration in inadequate facilities frequently results in gross air pollution. Many residues resulting from mismanagement of solid wastes are not readily eliminated or degraded. Some are hazardous to human health; others adversely affect desirable plants and animals.

The four major sources of solid wastes are urban wastes (domestic, commercial, and municipal), industrial, agricultural (vegetation and animal), and mineral. Altogether, over 3.6 billion tons of solid wastes are produced in this Nation every year (Table I). This amounts to 100 pounds per person per day and is expected to increase to 5 billion tons per day by 1980.

TABLE I.—GENERATION OF SOLID WASTES FROM 5 MAJOR SOURCES IN 1967

Source	Solid wastes generated	
	Pounds capacity per day	Million tons per year
Urban:		
Domestic.....	3.5	128
Municipal.....	1.2	44
Commercial.....	2.3	84
Subtotal.....	7.0	256
Industrial.....	3.0	110
Agricultural:		
Vegetation.....	15.0	552
Animal.....	43.0	1,563
Subtotal.....	58.0	2,115
Mineral.....	30.8	1,126
Federal.....	1.2	43
Total.....	100.0	3,650

#### URBAN WASTES

Like other public services, solid waste management is related to population growth, density, and industrial and commercial zoning. Communities, however, are inclined to view solid waste collection and disposal activities as short-term problems. When communities begin to recognize solid waste collection and disposal as a community facility need in planning, steps can be taken to meet total area need for 25 to 50 years.

In 1967, \$3.4 billion was spent for urban solid waste collection and disposal, which amounts to a collection and transport service cost of \$30 to \$50 per household per year.

Urban solid wastes amount to more than 180 million tons per year (5 pounds per person per day) and by 1980 may total 360 million tons per year (8 pounds per person per day).

A national survey of 6300 communities' approaches to the disposal of solid wastes revealed that almost half of the communities surveyed had no comprehensive plans with respect to handling their solid wastes. Some 53 percent of these communities exercise no control over on-site storage of household garbage. The degree of control over other kinds and sources of refuse is less, and existing statutory controls are not adequately enforced.



These 6300 communities made use of about 8900 land disposal sites and approximately 1000 other disposal or waste reduction facilities. In a separate investigation of 6000 land disposal sites, 79 percent of which were operated by public agencies, only 14 percent were judged by the interviewers to be "sanitary" landfills. A review of the survey forms suggests that less than 6 percent of them can truly be characterized as "sanitary landfills."

#### *Domestic, household, and residential wastes*

Urban domestic sources of wastes include household garbage, garden trimmings and leaves, and discarded clothing, furniture, and appliances. These materials amount to approximately 2.4 pounds per person per day at an annual collection and disposal cost of \$6.80 of which \$5.40 is for collection and \$1.40 for disposal.

The previously mentioned national survey reports that for household collections, some 56 percent of community inhabitants are served by public agencies and 32 percent by private collectors, while 12 percent of the population perform their own refuse collection and transport.

#### *Commercial wastes*

Commercial wastes are frequently handled separate from household wastes. Originating from such sources as offices, hotels, restaurants, stores, and hospitals they include large quantities of paper, packaging material, and special materials of hazardous and pathological nature.

Two commercial wastes of particular interest are those emanating from demolition and hospital. Demolition wastes primarily result from renewal projects and interstate highway programs. Frequently the disposal of these wastes, a burden which falls on public disposal sites, is not considered during planning stages of the projects. Therefore, the costs are frequently borne by the public treasury and not reflected in estimated project costs. It is estimated that construction and demolition wastes generated in a community amounts to 0.2 pounds per person per day—4 percent of urban wastes.

Hospital wastes are of concern because of the potential presence of pathogenic materials. Frequently these materials are routinely passed on to the municipal solid waste collection and disposal facilities without identification of their hazardous nature.

There is a trend toward single-use items in hospitals which will increase the burden of hazardous wastes. At a recent national conference on single-use items for health care facilities, it was pointed out that some hospitals generate up to 20 pounds of solid wastes per patient per day. When the concept of single-use items is expanded to include all bed linens, food service, uniforms, and other items to which it may be applied, hospitals can be expected to generate 50 pounds of solid wastes per patient per day.

#### *Municipal wastes*

Urban municipal wastes represent a third major source of difficult to handle materials. Litter collected from parks and streets, tires, abandoned vehicles, sludge from sewage treatment plants, and incinerator residues, are common examples.

Abandoned automobiles are a major municipal problem amounting to approximately 500,000 cars a year. A major obstacle to an effective solution to this problem has been the difficulty municipalities have in acquiring title to abandoned or discarded vehicles while

protecting the legitimate rights of owners. In 1967, the Council of State Governments recommended adoption of uniform State legislation, to solve the problem.

There are 180 million automobile tires produced in this country each year, of which many end up in municipal waste disposal systems. Efforts to date to recycle tires have not been effective in reducing the number of tires requiring disposal.

Incinerator residues are another bulky solid wastes. The incineration of solid wastes may reduce the volume of organic solid wastes by 90 percent. In practice, a 60 to 80 percent reduction is achieved. Large volumes of incinerator residues require disposal. In addition, large volumes of fly ash are generated in electric power production.

The Bureau of Mines has reported that metal mineral resources are present in incinerator ash in such amounts as to justify exploration of the technology and economics of their recovery. It is estimated that if all refuse were burned in properly designed incinerators, the residue might contain some 10 million tons of iron; almost 1 million tons of nonferrous metal including aluminum, lead, zinc, copper, and tin; 14 million tons of glass; lesser amounts of nonmetallic minerals; and small quantities of precious metals such as tungsten, silver, and gold.

Urban solid wastes constitute only about one-twentieth of the national solid waste production, yet their management requires large and continuous effort. This is because they are visible heterogeneous wastes generated where people live, usually areas with limited storage or disposal space.

As pointed out by Professor Rolf Eliassen:

The basic goals of urban solid waste management are to handle and dispose of solid wastes to the environment without deleterious effects and to recover and reuse as much material as is economically feasible. In approaching these goals, the following premises must be recognized: (1) that there is need for long-term operational planning to set aside land and provide facilities for solid waste systems; (2) that conservation of nonrenewable resources is necessary; (3) that public acceptance of better solid waste practices requires that economics of scale, capital intensive processes, and other cost reduction measures will be fully identified and utilized; (4) that salvage and reclamation products must have a market and be competitive with other materials; (5) that efforts be made to utilize capital intensive concepts to reduce the per-unit cost of solid waste management; (6) that no method of ultimate solid waste disposal can be termed acceptable unless its long- and short-term impact on the environment are known and can be proven acceptable; (7) that federally supported research, development, and demonstration projects should be located in problem areas where scientific and technological talents and experience in various aspects of solid waste management can effect visible solution. The multidisciplinary approach offers maximum expectation of attaining usable results.



## INDUSTRIAL WASTES

Industrial wastes represent an estimated 115 million tons a year or approximately 3.0 pounds per person per day. Industrial wastes are the discarded solid materials resulting from industrial operations such as the chemical, textile, paper, food processing, general manufacturing and materials industries.

At present there is little data available on amounts of industrial wastes collected, transported, or disposed of, nor on amounts stored on company property. A rough estimate is that 21 percent are handled by private contractors, 4 percent by municipalities, and the remainder on site.

Due to their homogeneous nature, many industrial wastes exhibit a high potential for recovery and reuse.

*Paper*

The paper and paper product industry is a useful example of the potential for recycling solid wastes.

In 1969, the paper and paperboard industry produced about 58 million tons of product and in the process generated an estimated 30 million tons of paper and paper product wastes itself. The best figures available indicate that more than 80 percent of this production goes into one-time use and discard applications. A substantial portion became solid waste and contributed some 35 to 50 percent of domestic and commercial solid waste collections.

Although there has been a sharp rise in the use of recycled paper by the industry since World War II, there has been a decrease in the percentage of paper recycled. The N.A.E. *Ad Hoc* Committee recommended that the paper industry, in effect, increase its percentage of recycled waste paper from the present 20 percent of the total tonnage of paper and paperboard used in the United States in 1969, to 35 percent in 1985. This is comparable to the 1946 figure of 37 percent and current practices in Holland, Germany, and Japan.

## AGRICULTURAL WASTES

Agricultural wastes include animal manure, animal carcasses, crop trimmings, harvest residues, forest slash, etc. Major agricultural crop wastes account for 550 million tons per year, and animal wastes for an additional 1,560 million tons per year.

For example one cattle feedlot operation with 10,000 animals can produce 260 tons of manure per day, while a poultry operation with 100,000 birds produces 5 tons of waste daily.

Problems arising from present management of agricultural wastes are air pollution from burning, breeding of insects and rodents as a result of improper storage, generation of offensive odors and dusts through improper handling and surface and ground water pollution from indiscriminate dumping and spreading on land.

Accumulations of pesticide containers may occur in agricultural areas. This may constitute a hazard to humans and livestock.

There are few reports of experience with the disposal of agricultural wastes in combinations with other wastes of an urban-industrial-rural community. The rural sector has been generally responsible for agricultural wastes. Most attention has been given to control of odors, dust, flies, mosquitoes, and rodents.

## FOOD PROCESSING

The growing, harvesting, processing, and packaging of fruits, vegetables and other food crops, generate large tonnages of solid wastes. For example, it has been estimated, that of the total weight of corn crop grown for canning, about 50 percent is field waste, and about 30 percent is process waste, while less than 20 percent is corn in the can.

The fast developing technology in mechanical harvesting is causing a shift in the solid waste handling location from the rural to the urban setting. Former hand harvesting methods were more selective in sorting out the usable crop portion. Culls, plant parts, and other wastes were left in the field where they were simply disposed of by plowing in or burning. With more sophisticated mechanical harvesting, a greater percentage of waste is transported with the usable crop to a central processing location. Such wastes add to urban waste management problems and complexity of solutions because plowing under and burning are no longer available options.

Production of processed foods has more than doubled in the past 25 years. Production and preservation of foods can be expected to continue to accelerate and will result in concomitant increases in the generation of solid waste. Solid wastes originating from forest and fiber crop production and processing are also considerable. These organic materials are more difficult to handle and manage than those from animal product and food crop processing.

## MINERAL WASTES

Vast quantities of waste materials result from the mining of fossil fuels, metal ores, and nonmetallic minerals.

During the past 30 years, well over 20 billion tons of solid mineral wastes have resulted from mineral and fossil fuel mining, milling, metallurgical and chemical processing industries. In 1965, the United States production of mineral wastes had risen to 1.1 billion tons, or approximately 30 pounds per person per day.

Increased volumes of waste have resulted in part from the capability of industry to process lower grade ores. For example, in the copper industry, ores averaging 15 pounds of copper per ton are mined and smelted. The mining process produces two tons of waste per ton of ore while smelting produces about 125 tons of waste per ton of copper. Therefore, approximately 400 tons of waste material are produced per ton of copper.

The task of contending with the mineral solid wastes generated in the past or being generated now is serious, but the future promises even greater difficulty. By 1980 the Nation's mineral industries will generate an estimated 2 billion tons of solid waste annually. If ocean and oil shale mining is undertaken, approximately 4 billion tons of waste will be generated. Increased waste generation can be expected in nearly every commodity area, including coal, phosphate rock, clay, and mica among others, not only because of increased production but also because of the need for using lower-grade ores.

Although some 80 mineral industries generate wastes, 8 industries alone are responsible for 80 percent of the total. Of these, the copper industry contributes the largest tonnage, followed by the iron and steel, bituminous coal, phosphate rock, lead, zinc, alumina, and anthracite industries. Smelting, nonmetallic mineral mining including



sand and gravel, gold dredging, stone, and clay, and the chemical processing of ores and products account for most of the remaining 20 percent of the mineral solid waste generated.

GENERATION BY TYPE OF SOLID WASTES FROM THE MINERAL AND FOSSIL FUEL INDUSTRIES (1965)

Industry	Mine waste	Mill tailings	Washing plant rejects	Slag	Processing plant wastes	Total (thousands of tons)
Copper.....	286,600	170,500	-----	5,200	-----	466,700
Iron and steel.....	117,599	100,589	-----	14,689	1,000	233,877
Bituminous coal.....	12,800	-----	86,800	-----	-----	99,600
Phosphate rock.....	72	-----	54,823	4,030	9,383	68,308
Lead-zinc.....	2,500	17,811	970	-----	-----	20,311
Aluminum.....	-----	-----	-----	-----	5,350	5,350
Anthracite coal.....	-----	-----	2,000	-----	-----	2,000
Coal ash.....	-----	-----	-----	-----	24,500	24,500
Other <sup>1</sup> .....	-----	-----	-----	-----	-----	229,284
Total.....	419,571	288,900	144,593	23,919	40,233	1,146,500

<sup>1</sup> Estimated waste generated by remaining mineral mining and processing industries.

## SECTION-BY-SECTION ANALYSIS

### TITLE I. RESOURCE RECOVERY

#### *Section 202 (Findings and Purpose)*

New language is added describing the purposes of the Act, to emphasize recycling, local planning, and training functions.

#### *Section 203 (Definitions)*

The Department of Interior's responsibility under existing law for disposal of mineral solid waste is eliminated, and HEW assumes complete authority. Several new definitions are added, including municipality, intermunicipal agency, recovered resources and resource recovery systems, to which other provisions of this Act are keyed.

#### *Section 204 (Research)*

This section adds new language to the on-going research program, shifting the emphasis from disposal to recycling and adding instructions to investigate the public health and welfare effects of solid waste.

Section 204(d) authorizes annual research appropriations of \$15 million, \$17 million, \$19 million, and \$20 million through fiscal 1974.

#### *Section 205 (New-Grant Limitations)*

This section provides that no grant under any program of the Solid Waste Act can be made to a profit-making organization. Note that Section 204(b) presently allows research contracts with such an organization.

#### *Section 206 (Interstate Cooperation)*

Unchanged (renumbered).

#### *Section 207 (Regional and Local Planning Grants)*

This replaces 50 percent State grants for planning activities with 66⅔ percent grants to single municipalities and States, and 75 percent grants for planning solid waste programs in an area of more than one municipality or State.

The grants may be used for (1) making surveys of solid waste problems, (2) preparing solid waste disposal plans for the area (especially those emphasizing recycling), (3) developing proposals for Section 208 demonstration system grants, and (4) preparing plans for collecting and recovering abandoned motor vehicle hulks.

*Section 208 (New-Demonstration Grants for Resource Recovery Systems)*

This section provides for grants to varying sizes of communities to demonstrate resource recovery systems. These systems have to be area-wide, reflecting a variety of solid waste problems (including those of smaller towns and rural areas). A system must be consistent with plans developed in accordance with Section 207(b)(2) and with Section 209 guidelines. A proposal for a system grant must also provide assurance that an equitable means exists for distributing the costs amount the users of the system.

The bill authorizes annual appropriations of \$20 million, \$30 million, \$50 million and \$55 million through Fiscal Year 1974.

*Section 209 (New—Recommended Guidelines)*

This section directs the Secretary to prepare guidelines on solid waste management practices for circulation to State and local governments. These guidelines are advisory except when such State or locality applies for a demonstration grant under Section 208. This Section also requires the Secretary to recommend model codes and ordinances, and to issue technical information on solid waste and resource recovery methods to solid waste agencies, and includes authority to transport models to various communities and funding of on-site review of solid waste disposal and resource recovery facilities by solid waste personnel.

*Section 210 (New—Training Grants)*

This section provides training grants to assist in the development of personnel trained in the design, operation and maintenance of solid waste disposal and recovery equipment and systems.

Section 210(d) directs a study within one year on the need for additional trained personnel and obstacles to employment or occupational advancement.

The Bureau of Solid Waste Management estimates the cost of this section to be about \$8 million a year, but the bill provides no specific authorization.

*Section 211 (New—Cooperation by all Federal Agencies in the Control of Solid Waste Pollution)*

This section requires Federal installations and federally licensed activities to meet solid waste guidelines of Section 209. This would include ocean dumping activities licensed by the Corps of Engineers.

*Section 212 (New—National Disposal Sites Study)*

This section authorizes a two-year study to create a system of national disposal sites for hazardous materials.

*Section 213-215*

Unchanged (renumbered).

*Section 216 (Appropriations)*

This section authorizes "such sums as may be necessary", excluding the funds specifically provided for (1) research, and (2) resource recovery system demonstration grants. These two specific authoriza-



tions provide for fiscal 1971 a \$35 million authorization, fiscal 1972 a \$47 million authorization, fiscal 1973 a \$69 million authorization, and fiscal 1974 a \$75 million authorization.

#### TITLE II (NATIONAL COMMISSION ON MATERIALS POLICY)

This title creates a Commission to develop a national materials policy. In developing this policy the Commission would study materials requirements (national and international), the relationship of materials policy to population and environmental quality, means for utilizing more materials "which are susceptible to recycling, reuse, or self-destruction", and general ways to improve or coordinate knowledge of materials usage. The Commission would be required to report by June 30, 1973, with an authorization of \$2,000,000.

#### TITLE III (RESOURCE RECOVERY STUDY)

This title places special emphasis on the policy implications of a change from disposal to resource recovery. It authorizes a two-year study of issues in resource recovery, including means of recovering materials and energy; examination of the economic impact of recovered resources; changes in production and packaging practices (including disposal charges) to reduce wastes; efficient solid waste facilities utilization; the use of Federal procurement to develop market demand for recovered resources; and incentives and disincentives to recycling (including tax policies).

## CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

### TITLE II—SOLID WASTE DISPOSAL

#### SHORT TITLE

SEC. 201. This title (hereinafter referred to as "this Act") may be cited as the "Solid Waste Disposal Act".

#### FINDINGS AND PURPOSES

SEC. 202. (a) The Congress finds—

(1) that the continuing technological progress and improvement in methods of manufacture, packaging, and marketing of consumer products has resulted in an ever-mounting increase, and in a change in the characteristics, of the mass of material discarded by the purchaser of such products;

(2) that the economic and population growth of our Nation, and the improvements in the standard of living enjoyed by our population, have required increased industrial production to meet our needs, and have made necessary the demolition of old buildings, the construction of new buildings, and the provision of highways and other avenues of transportation, which, together with related industrial, commercial, and agricultural operations, have resulted in a rising tide of scrap, discarded, and waste materials;

(3) that the continuing concentration of our population in expanding metropolitan and other urban areas has presented these communities with serious financial, management, inter-governmental, and technical problems in the disposal of solid wastes resulting from the industrial, commercial, domestic, and other activities carried on in such areas;

(4) that inefficient and improper methods of disposal of solid wastes result in scenic blights, create serious hazards to the public health, including pollution of air and water resources, accident hazards, and increase in rodent and insect vectors of disease, have an adverse effect on land values, create public nuisances, otherwise interfere with community life and development;

(5) that the failure or inability to salvage and reuse such materials economically results in the unnecessary waste and depletion of our natural resources; and



(6) that while the collection and disposal of solid wastes should continue to be primarily the function of State, regional, and local agencies, the problems of waste disposal as set forth above have become a matter national in scope and in concern and necessitate Federal action through financial and technical assistance and leadership in the development, demonstration, and application of new and improved methods and processes to reduce the amount of waste and unsalvageable materials and to provide for proper and economical solid-waste disposal practices.

(b) The purposes of this Act therefore are—

【(1) to initiate and accelerate a national research and development program for new and improved methods of proper and economic solid-waste disposal, including studies directed toward the conservation of natural resources by reducing the amount of waste and unsalvageable materials and by recovery and utilization of potential resources in solid wastes; and

【(2) to provide technical and financial assistance to State and local governments and interstate agencies in the planning, development, and conduct of solid-waste disposal programs.】

*(1) to promote the demonstration and application of solid waste management systems which preserve and enhance the quality of air, water, and land resources;*

*(2) to demonstrate on an areawide systematic basis techniques for resources recovery and the management of solid wastes, including systems for collection, separation, recovery, and recycling of solid wastes, and the environmentally safe disposal of non-recoverable residues;*

*(3) to provide technical and financial assistance to States and local governments and interstate agencies in the planning and development of resource recovery and solid waste disposal programs;*

*(4) to promote a national research, development, and demonstration program for improved management techniques, more effective organizational arrangements, and new and improved methods of solid waste collection, transport, and disposal including studies with emphasis on conserving and reducing wastes by separation, recovery, and utilization of potential resources in solid wastes; and*

*(5) to provide for the promulgation of guidelines for solid waste collection, transport, separation, recovery, and disposal systems, and for training grants in occupations involving the design, operation, and maintenance of solid waste disposal systems.*

#### DEFINITIONS

SEC. 203. When used in this Act—

(1) The term "Secretary" means the Secretary of Health, Education, and Welfare 【; except that such term means the Secretary of the Interior with respect to problems of solid waste resulting from the extraction, processing, or utilization of minerals or fossil fuels where the generation, production, or reuse of such waste is or may be controlled within the extraction, processing, or utilization facility or facilities and where such control is a feature of the technology or economy of the operation of such facility or facilities】.

(2) The term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(3) The term "interstate agency" means an agency of two or more municipalities in different States, or an agency established by two or more States, with authority to provide for the disposal of solid wastes and serving two or more municipalities located in different States.

(4) The term "solid waste" means garbage, refuse, and other discarded solid materials, including solid-waste materials resulting from industrial, commercial, and agricultural operations, and from community activities, but does not include solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

(5) The term "solid-waste disposal" means the collection, storage, treatment, utilization, processing, or final disposal of solid waste.

(6) The term "construction", with respect to any project of construction under this Act, means (A) the erection or building of new structures and acquisition of lands or interests therein, or the acquisition, replacement, expansion, remodeling, alteration, modernization, or extension of existing structures, and (B) the acquisition and installation of initial equipment of, or required in connection with, new or newly acquired structures or the expanded, remodeled, altered, modernized or extended part of existing structures (including trucks and other motor vehicles, and tractors, cranes, and other machinery) necessary for the proper utilization and operation of the facility after completion of the project; and includes preliminary planning to determine the economic and engineering feasibility and the public health and safety aspects of the project, the engineering, architectural, legal, fiscal, and economic investigations and studies, and any surveys, designs, plans, working drawings, specifications, and other action necessary for the carrying out of the project, and (C) the inspection and supervision of the process of carrying out the project to completion.

(7) *The term "municipality" means a city, town, borough, county, parish, district, Indian tribe, or other public body created by or pursuant to State law and having jurisdiction over the disposal of solid wastes.*

(8) *The term "intermunicipal agency" means an agency established by two or more municipalities with responsibility for planning or administration of solid waste disposal or regional environmental protection systems.*

(9) *The term "recovered resources" means materials or energy recovered from solid wastes.*

(10) *The term "resource recovery system" means any solid waste management system which improves the application of technology for collection, separation, recycling, and recovery of solid wastes, including disposal of nonrecoverable waste residues.*

#### RESEARCH, DEMONSTRATIONS, TRAINING, AND OTHER ACTIVITIES

SEC. 204. (a) The Secretary shall conduct, and encourage, cooperate with, and render financial and other assistance to appropriate public (whether Federal, State, interstate, or local) authorities, agencies,



and institutions, private agencies and institutions, and individuals in the conduct of, and promote the coordination of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to—[the operation and financing of solid-waste disposal programs, the development and application of new and improved methods of solid-waste disposal (including devices and facilities therefor), and the reduction of the amount of such waste and unsalvageable waste materials.]

(1) *the health and welfare effects of the environmental release of material present in solid waste and methods to eliminate any adverse effects;*

(2) *the operation and financing of solid waste disposal programs;*

(3) *the reduction of the amount of such waste and unsalvageable waste materials;*

(4) *the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering materials and energy from solid wastes; and*

(5) *the identification of solid waste components and potential materials and energy recoverable from such waste components.*

(b) In carrying out the provisions of the preceding subsection, the Secretary is authorized to—

(1) collect and make available, through publications and other appropriate means, the results of, and other information pertaining to, such research and other activities, including appropriate recommendations in connection therewith;

(2) cooperate with public and private agencies, institutions, and organizations, and with any industries involved, in the preparation and the conduct of such research and other activities; and

(3) make grants-in-aid to public or private agencies and institutions and to individuals for research, training projects, surveys, and demonstrations (including construction of facilities), and provide for the conduct of research, training, surveys, and demonstrations by contract with public or private agencies and institutions and with individuals; and such contracts for research or demonstrations or both (including contracts for construction) may be made in accordance with and subject to the limitations provided with respect to research contracts of the military departments in title 10, United States Code, section 2353, except that the determination, approval, and certification required thereby shall be made by the Secretary.

(c) Any grant, agreement, or contract made or entered into under this section shall contain provisions effective to insure that all information, uses, processes, patents and other developments resulting from any activity undertaken pursuant to such grant, agreement, or contract will be made readily available on fair and equitable terms to industries utilizing methods of solid-waste disposal and industries engaging in furnishing devices, facilities, equipment, and supplies to be used in connection with solid-waste disposal. In carrying out the provisions of this section, the Secretary and each department, agency, and officer of the Federal Government having functions or duties under this Act shall make use of and adhere to the Statement of Government Patent Policy which was promulgated by the President in his memorandum of October 10, 1963. (3 CFR, 1963 Supp., p. 238.)

[(d) Notwithstanding any other provision of this Act, the United States shall not make any grant to pay more than two-thirds of the cost of construction of any facility under this Act.]

(d) *There is hereby authorized to be appropriated to carry out this section, not to exceed \$31,500,000 for the fiscal year ending June 30, 1971, not to exceed \$40,500,000 for the fiscal year ending June 30, 1972, not to exceed \$40,000,000 for the fiscal year ending June 30, 1973, and not to exceed \$38,500,000 for the fiscal year ending June 30, 1974. Such sums as are appropriated shall remain available until expended.*

#### LIMITATION ON GRANTS

*SEC. 205. No grant-in-aid shall be made under this Act to any private profitmaking organization.*

#### INTERSTATE AND INTERLOCAL COOPERATION

SEC. [205] 206. The Secretary shall encourage cooperative activities by the States and local governments in connection with solid-waste disposal programs; encourage, where practicable, interstate, interlocal, and regional planning for, and the conduct of, interstate, interlocal, and regional solid-waste disposal programs; and encourage the enactment of improved and, so far as practicable, uniform State and local laws governing solid-waste disposal.

#### GRANTS FOR [STATE AND INTERSTATE] STATE, REGIONAL, AND LOCAL PLANNING

[SEC. 206. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State and interstate agencies of not to exceed 50 per centum of the cost of making surveys of solid-waste disposal practices and problems within the jurisdictional areas of such States or agencies, and of developing solid-waste disposal plans for such areas.]

*SEC. 207. (a) The Secretary may from time to time, upon such terms and conditions as he finds appropriate make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of not to exceed 66⅔ per centum of the cost in the case of any single State or municipality, and not to exceed 75 per centum of the cost in the case of an area including more than one State or municipality (but less than an entire State), for the purpose of (1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies, (2) developing and revising solid waste disposal plans as part of regional environmental protection systems for such areas, providing for recycling or recovery of materials from wastes whenever possible and including planning for the reuse of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites, (3) developing proposals for demonstration of resource recovery systems to be carried out pursuant to section 208 of this Act, and (4) planning programs for the removal and processing of abandoned motor vehicle hulks.*



[(b) In order to be eligible for a grant under this section the State, or the interstate agency, must submit an application therefor which—]

(b) *Grants pursuant to this section shall be made upon application therefor which—*

(1) designates or establishes a single [State] agency (which may be an interdepartmental agency) [or, in the case of an interstate agency, such interstate agency,] as the sole agency for carrying out the purposes of this [section;] *section for the area involved;*

(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to [statewide] *areawide* planning [(or in the case of an interstate agency jurisdictionwide planning)] for proper and effective solid-waste disposal consistent with the protection of the public health *and uelfare*, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, *technological change*, and the feasibility of regional disposal and *resource recovery* programs;

(3) sets forth [its] *plans and budget* for expenditure of such grant, [which plans provide reasonable assurance of carrying out] *indicating the compatibility of budget items with* the purposes of this section;

(4) provides for submission of [a final report] *such reports* of the activities of the [State or interstate] agency in carrying out the purposes of this section, [and for the submission of such other reports,] in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary to assure the [correctness and verification] *substantial accuracy* of such reports; and

(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the [State or interstate] agency under this section.

(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that *so far as practicable* the planning of solid-waste disposal will be coordinated[, *so far as practicable,*] with *and not duplicate* other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.

#### DEMONSTRATION OF RESOURCE RECOVERY SYSTEMS

SEC. 208. (a) *The Secretary is authorized to make grants pursuant to this section to any State, municipal, or interstate or intermunicipal agency for the demonstration of resource recovery systems (including the improvement of existing systems).*

(b) *Any such grant shall be made only if it (1) is consistent with any plans for resource recovery systems developed in accordance with the requirements of section 207(b)(2) of this Act; (2) is consistent with any guidelines developed pursuant to section 209 of this Act; (3) is designed to provide areawide resource recovery systems consistent with the purposes of this Act, as determined by the Secretary, pursuant to regulations promulgated under subsection (c) of this section; and (4) provides an equitable*

system for distributing the costs associated with construction, operation, and maintenance of any resource recovery system among the users of such system.

(c) *The Secretary, within ninety days after the effective date of this section, shall promulgate regulations establishing a procedure for awarding resource recovery system demonstration grants, which—*

(1) *provides that projects will be carried out in communities of varying sizes, under such conditions and in such localities as will assist in solving the community waste problems of urban-industrial centers, metropolitan regions and rural areas, under representative geographic and environmental conditions; and*

(2) *provides a timetable for submission of plans and grants requests, and a timetable for approval of such plans and awarding of such grants.*

(d) *In determining the eligibility of demonstration systems for grants under this section, consideration shall be given by the Secretary to (1) the public benefits to be derived by the construction and the propriety of Federal aid in such construction; (2) the economic and commercial viability of the project including contractual arrangements with the private sector to market any resources recovered; and (3) the potential of such project for general application to community solid waste disposal problems.*

(e) *No grant for any demonstration system under this section shall exceed 75 per centum of the estimated total design, construction, and first-year operation and maintenance costs. No assistance under this section may be provided for operating or maintenance costs after the first year, nor shall any assistance be provided for land acquisition. The non-Federal share may be in any form, including, but not limited to, lands or interests therein needed for the project or personal property or services, the value of which shall be determined by the Secretary.*

(f) *There is hereby authorized to be appropriated to carry out this section, not to exceed \$20,000,000 for the fiscal year ending June 30, 1971, not to exceed \$30,000,000 for the fiscal year ending June 30, 1972, not to exceed \$50,000,000 for the fiscal year ending June 30, 1973, and not to exceed \$55,000,000 for the fiscal year ending June 30, 1974. Such sums as are appropriated shall remain available until expended.*

#### RECOMMENDED GUIDELINES

SEC. 209. (a) *The Secretary shall, in cooperation with appropriate State, Federal, interstate, regional, and local agencies, allowing for public comment by other interested parties, as soon as practicable after enactment of this section, recommend to appropriate agencies and publish in the Federal Register guidelines for solid waste recovery, collection, separation, and disposal systems (including systems for private use), which shall be consistent with public health and welfare, and air and water quality standards and adaptable to appropriate land-use plans. Such guidelines shall apply to such systems whether on land or water and shall be revised from time to time.*

(b) *The Secretary shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act.*

(c)(1) *The Secretary shall issue to appropriate Federal, interstate, regional, and local agencies information on technically feasible solid waste collection, separation, disposal, recycling, and recovery methods,*



including data on the cost of construction, operation, and maintenance of such methods.

(2) In disseminating such information, the Secretary shall employ models and visual demonstrations which can be transported to communities where such demonstrations would be a useful addition to ordinary sources of technological information, and provide funds to representatives of public and private solid waste disposal agencies or corporations for useful on-site review of solid waste disposal and resource recovery facilities and methods.

#### TRAINING GRANTS

SEC. 210. (a) The Secretary is authorized to make grants to, and contracts with States and interstate agencies, municipalities, educational institutions, and to any other organization which is capable of effectively carrying out a project which may be funded by grant under subsection (b) of this section.

(b)(1) Subject to the provisions of paragraph (2), grants may be made to pay all or a part of the costs, as may be determined by the Secretary, of any project operated or to be operated by an eligible institution or organization, which is designed—

(A) to develop, expand, or carry out a program of training persons for occupations involving the management, supervision, design, operation, or maintenance of solid waste disposal and resource recovery equipment and facilities;

(B) to train persons, including teachers, adult basic education personnel, and supervisory personnel, to train or supervise persons in occupations involving the design, operation, and maintenance of solid waste disposal and resource recovery equipment and facilities; or

(C) to carry out occupational training projects which involve a combination of training, education, and employment in the design, operation, and maintenance of resource recovery systems.

(2) A grant or contract authorized by paragraph (1) of this subsection may be made only upon application to the Secretary at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it—

(A) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section, and provides for making available to the Secretary or his designate, for purposes of audit and examination, such books, documents, papers, and records as relate to any funds received under this section;

(B) provides for making such reports, in such form and containing such information, as the Secretary may require to carry out his functions under this section, for keeping such records, and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

(C) provides for (i) a periodic examination of the effectiveness with which the goals set forth in the application are being met while the project is in operation; (ii) the conducting of such examination by an organization not affiliated with the institution or organization whose project is being examined; and (iii) furnishing a report of the results of such examination to the Secretary within thirty days after such examination is completed.

(c) *The Secretary shall—*

(1) *encourage businesses with operations or products in the solid waste disposal and resource recovery field to participate in and cooperate with occupational training programs established with the assistance of grants or contracts made under subsection (b)(1)(C) of this section; and*

(2) *disseminate information which relates to teaching and training methods, materials, and curriculums developed by projects assisted under subsection (b) of this section.*

(d) *The Secretary shall make a complete investigation and study to determine—*

(1) *the need for additional trained State and local personnel to carry out plans assisted under this Act and other solid waste and resource recovery programs;*

(2) *means of using existing training programs to train such personnel; and*

(3) *the extent and nature of obstacles to employment and occupational advancement in the solid waste disposal and resource recovery field which may limit either available manpower or the advancement of personnel in such field.*

*He shall report the results of such investigation and study, including his recommendations to the President and the Congress not later than one year after enactment of this Act.*

#### COOPERATION BY ALL FEDERAL AGENCIES IN THE CONTROL OF SOLID WASTE POLLUTION

*SEC. 211. (a) Each Federal agency having jurisdiction over any real property, facility or activity of any kind, shall insure compliance with guidelines developed under section 209 and the purposes of this Act in the administration of such property, facility, or activity.*

*(b) Each Federal agency which leases any Federal property or facility of any kind or which contracts for the operation of any Federal property or facility or which contracts for the entire operation of any other facility or which permits or licenses the use of any Federal property shall insure compliance with guidelines developed under section 209 and the purposes of this Act in the administration of such lease, contract, license, or permit.*

*(c) Each Federal agency which issues any license or permit for disposal of solid waste, shall prior to the issuance of such license or permit consult with the Secretary to insure compliance with guidelines developed under section 209 and the purposes of this Act.*

#### NATIONAL DISPOSAL SITES STUDY

*SEC. 212. The Secretary shall submit to the Congress no later than two years after the effective date of this section, a comprehensive report and plan for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes, including radioactive, toxic chemical, biological, and other wastes which may endanger public health or welfare. Such report shall include: (a) a list of materials which should be subject to disposal in any such site; (b) current methods of disposal of such materials; (c) recommended methods of reduction, neutralization, recovery, or disposal of such materials; (d) an inventory of possible sites, including existing land or water disposal sites operated or licensed by Federal agencies; (e) an estimate of the cost of developing and maintaining*



*sites including consideration of means for distributing the short and long-term costs of operating such sites among the users thereof; and (f) such other information as may be appropriate.*

#### LABOR STANDARDS

SEC. [207.] 213. No grant for a project of construction under this Act shall be made unless the Secretary finds that the application contains or is supported by reasonable assurance that all laborers and mechanics employed by contractors or subcontractors on projects of the type covered by the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), will be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with that Act; and the Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

#### OTHER AUTHORITY NOT AFFECTED

SEC. [208.] 214. This Act shall not be construed as superseding or limiting the authorities and responsibilities, under any other provisions of law, of the Secretary of Health, Education, and Welfare, the Secretary of the Interior, or any other Federal officer, department, or agency.

#### PAYMENTS

SEC. [209.] 215. Payments of grants under this Act may be made (after necessary adjustment on account of previously made underpayments or overpayments) in advance or by way of reimbursement, and in such installments and on such conditions as the Secretary may determine.

#### APPROPRIATIONS

[SEC. 210. (a) There is hereby authorized to be appropriated to the Secretary of Health, Education, and Welfare, to carry out this Act, not to exceed \$7,000,000 for the fiscal year ending June 30, 1966, not to exceed \$14,000,000 for the fiscal year ending June 30, 1967, not to exceed \$19,200,000 for the fiscal year ending June 30, 1968, and not to exceed \$20,000,000 for the fiscal year ending June 30, 1969.

[(b) There is hereby authorized to be appropriated to the Secretary of the Interior, to carry out this Act, not to exceed \$3,000,000 for the fiscal year ending June 30, 1966, not to exceed \$6,000,000 for the fiscal year ending June 30, 1967, not to exceed \$10,800,000 for the fiscal year ending June 30, 1968, and not to exceed \$12,500,000 for the fiscal year ending June 30, 1969.]

SEC. 216. (a) *There is authorized to be appropriated for carrying out the provisions of this Act, other than those for which specific authorizations are made, such sums as may be necessary for the period ending June 30, 1974.*

(b) *Such portion as the Secretary may determine, but not more than 1 per centum, of any appropriation for grants, contracts, or other payments under any provision of this Act for any fiscal year beginning after June 30, 1970, shall be available for evaluation (directly, or by grants, or contracts) of any program authorized by this title.*

## INDIVIDUAL VIEWS OF MR. GURNEY

I generally support the committee bill extending and amending the Solid Waste Disposal Act which provides financial assistance for the construction of solid waste disposal facilities, improves research programs in carrying out this act, and establishes a National Commission on Materials Policy.

However, I feel there is a major category from which solid waste is generated which deserves immediate and appropriate action. This is the category of junk motor vehicles.

The junked motor vehicle, which is the most obvious and noticeable solid waste disposal problem nationwide, includes the growing unsightly accumulation of junked automobiles, buses, and trucks encircling our cities, and scattered in fields and vacant lots in less populated areas. As President Richard M. Nixon stated in his message to Congress on environmental quality, February 10, 1970: "Few of America's eyesores are so unsightly as its millions of junk automobiles."

Unfortunately, when old cars die, they don't fade away. I suggest that the constant increase in per capita generation of solid wastes, stimulated by growth of production, and coupled with a rapidly increasing affluent population, is responsible for the Nation's present environmental crisis. As a result, more and more junk motor vehicles have become visible eyesores.

At the present time, there is a total of 105,403,557 registered vehicles in the United States. The current annual retirement rate is approximately 7.9 million motor vehicles. The number of motor vehicles processed for scrap each year is between 6 and 7 million. Therefore, we can safely say approximately 1 million motor vehicles each year are added to the visible junkpiles around the country. Nobody knows exactly how many rusting hulks are strewn across the American countryside, but current estimates run between 15 and 20 million. The number of motor vehicles in auto wreckers' yards which have little or no parts value, added to the number of abandoned vehicles, added to the current number of motor vehicles annually retired which the scrap dealers don't process, comes to approximately 8 to 12 million hulks. Quite obviously, the "scrap gap" is widening.

In dealing with problems of air and water pollution, the sources we are trying to track down are sometimes elusive. This is not true in the case of solid wastes such as junk motor vehicles. The root of this problem is a tangible high concentration of salvageable material which we can subject to any kind of processing we choose. Although discarded motor vehicle hulks constitute a small fraction of the waste disposal problem in terms of tonnage, they are higher in metal recycle value than most waste materials. They offer a tremendous incentive for the 33,000 auto wrecking yards and 1,800 scrap processors currently operating across the country. With the aid of these excellent facilities the problem can and must be solved.



We must rid our country of the "use and discard" syndrome. Old motor vehicles not only detract from the beauty of our country but also represent a significant source of valuable material for which our national need is growing. Presently, 60 percent of all rubber, 20 percent of all steel, 10 percent of all aluminum, over 7 percent of copper, 13 percent of nickel, 35 percent of the zinc, and over 50 percent of the lead consumed in the United States is for automotive use. Quite obviously junk motor vehicles are truly "a resource out of place." We must take the necessary steps to channel these hulks into the recycling process at an increased rate.

I personally recommend that Congress act now to adopt a balanced, flexible, easy-to-administer plan of modest cost to assist the States to carry on this badly needed program of recycling the backlog of junk motor vehicles.

During consideration of S. 2005, I offered and we discussed briefly one approach which would offer Federal financial aid on a 50-50 basis to the States and extracontinental territories administered by the United States to execute programs to remove junk motor vehicles from public thoroughfares, junkyards, and remote rural areas. Under this plan, Federal guidelines are to be established to spell out requirements for State participation. The guidelines will include requirements to provide an efficient means of transferring title of junked motor vehicles (or other evidence of ownership of such vehicles in States not requiring title certification) to public agencies or private business concerns charged with the responsibility of processing such motor vehicles into reusable form.

With an assist from this plan, operators would be able to reach out for about-to-be-abandoned motor vehicles before they are scattered across the land. Within a few years the huge accumulation of junk hulks could be shrunk to nothing. The ultimate goal would be a smooth flow of old cars back to steelmaking facilities without intermediate stops on city streets, junkyard stockpiles, or the woods off a country road.

I personally feel this plan is a valuable approach, fundable and easy to understand. I think it is worthy of debate and passage.

EDWARD J. GURNEY.







Calendar No. 1041

91ST CONGRESS  
2D SESSION

**S. 2005**

[Report No. 91-1034]

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IN THE SENATE OF THE UNITED STATES

APRIL 29, 1969

Mr. MUSKIE (for himself, Mr. BAYH, Mr. BOGGS, Mr. COOPER, Mr. EAGLETON, Mr. METCALF, Mr. MONTONA, Mr. MOSS, Mr. RANDOLPH, Mr. SPONG, Mr. YARBOROUGH, and Mr. YOUNG of Ohio) introduced the following bill; which was read twice and referred to the Committee on Public Works

JULY 23, 1970

Reported by Mr. MUSKIE, with amendments

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**A BILL**

To amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That this Act may be cited as the "Resource Recovery Act  
4       of 1969".

5       SEC. 2. Section 203 of the Solid Waste Disposal Act  
6       is amended by inserting at the end thereof the following:

7       “(7) The term ‘municipality’ means a city, town, bor-  
8       ough, county, parish, district, or other public body created

1 by or pursuant to State law and having jurisdiction over the  
2 disposal of solid wastes.”

3 SEC. 3. ~~(a)~~ Subsection ~~(a)~~ of section 204 of the Solid  
4 Waste Disposal Act is amended by striking out all beginning  
5 with “the development and application” through the end of  
6 such subsection and inserting in lieu thereof the following:  
7 “the reduction of the amount of such waste and unsalvage-  
8 able waste materials; and the development and application  
9 of new and improved methods of collecting and disposing  
10 of solid waste and processing and recovering usable ma-  
11 terials from solid waste (including devices and facilities  
12 therefor).”

13 ~~(b)~~ Such section 204 is further amended by striking out  
14 subsection ~~(d)~~.

15 SEC. 4. The Solid Waste Disposal Act is amended by  
16 redesignating sections 205 and 206 as sections 206 and 207,  
17 respectively; and by inserting after section 204 a new section  
18 as follows:

19 “SPECIAL STUDY AND DEMONSTRATION PROJECTS ON  
20 RECOVERY OF USEFUL MATERIALS

21 “SEC. 205. (a) The Secretary of Health, Education, and  
22 Welfare shall as soon as practicable carry out an investigation  
23 and study to determine—

24 “(1) economical means of recovering useful ma-



1 materials from solid waste; recommended uses of such ma-  
2 terials for national or international welfare; and the  
3 market impact of such recovery;

4 “(2) appropriate incentive programs (including tax  
5 incentives) to assist in solving the problems of solid  
6 waste disposal;

7 “(3) practicable changes in current production and  
8 packaging practices which would reduce the amount of  
9 solid waste; and

10 “(4) practicable methods of collection and con-  
11 tainerization which will encourage efficient utilization of  
12 facilities and contribute to more effective programs of  
13 reduction, reuse, or disposal of wastes.

14 The Secretary shall report the results of such investigation  
15 and study to the President and the Congress.

16 “(b) The Secretary is also authorized to carry out dem-  
17 onstration projects to test and demonstrate recovery tech-  
18 niques developed pursuant to subsection (a).

19 “(c) The authority contained in section 204 for the  
20 purpose of carrying out research and demonstration projects  
21 shall be applicable to the provisions of this section.”

22 SEC. 5. Section 207 of the Solid Waste Disposal Act, as  
23 redesignated by the previous section of this Act, is amended  
24 to read as follows:

1 “GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

2 “SEC. 207. (a) The Secretary may from time to time,  
3 upon such terms and conditions consistent with this section  
4 as he finds appropriate to carry out the purposes of this Act,  
5 make grants to State, interstate, municipal, and intermunicipal  
6 agencies, and organizations composed of public officials  
7 which are eligible for assistance under section 701(g) of  
8 the Housing Act of 1954, of not to exceed  $66\frac{2}{3}$  per centum  
9 of the cost in the case of a single municipality, and not to  
10 exceed 75 per centum of the cost in the case of an area in-  
11 cluding more than one municipality, of (1) making surveys  
12 of solid waste disposal practices and problems within the  
13 jurisdictional areas of such agencies and (2) developing  
14 solid waste disposal plans as part of regional environmental  
15 protection systems for such areas, including planning for  
16 the reuse, as appropriate, of solid waste disposal areas and  
17 studies of the effect and relationship of solid waste disposal  
18 practices on areas adjacent to waste disposal sites, and not  
19 to exceed 50 per centum of the cost of overseeing the imple-  
20 mentation, including enforcement, and modification of such  
21 plans.

22 “(b) Grants pursuant to this section shall be made upon  
23 application therefor which—

24 “(1) designates or establishes a single agency as



1 the sole agency for carrying out the purposes of this  
2 section for the area involved;

3 “(2) indicates the manner in which provision will  
4 be made to assure full consideration of all aspects of  
5 planning essential to areawide planning for proper and  
6 effective solid waste disposal consistent with the pro-  
7 tection of the public health, including such factors as  
8 population growth, urban and metropolitan develop-  
9 ment, land use planning, water pollution control, air  
10 pollution control, and the feasibility of regional dis-  
11 posal programs;

12 “(3) sets forth plans for expenditure of such grant,  
13 which plans provide reasonable assurance of carrying  
14 out the purposes of this section;

15 “(4) provides for submission of a final report of the  
16 activities of the agency in carrying out the purposes of  
17 this section, and for the submission of such other reports,  
18 in such form and containing such information, as the  
19 Secretary may from time to time find necessary for ear-  
20 rying out the purposes of this section and for keeping  
21 such records and affording such access thereto as he may  
22 find necessary to assure the correctness and verification  
23 of such reports; and

24 “(5) provides for such fiscal control and fund

accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

“(e) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with, and not duplicative of, other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.”

SEC. 6. The Solid Waste Disposal Act is further amended by redesignating the last four sections in such Act as sections 211 through 214, respectively, and by inserting after section 207, as redesignated by this Act, the following new sections:

#### “GRANTS FOR CONSTRUCTION

“SEC. 208. (a) The Secretary of Health, Education, and Welfare is authorized to make grants pursuant to this section to any State, municipality, or interstate or intermunicipal agency for the construction of solid waste disposal and resource recovery facilities, including completion and improvement of existing facilities.

“(b) Any such grant—

“(1) shall be made for a project only if it is consistent with any State or interstate plan for solid waste



1 disposal, is included in a comprehensive plan for the  
2 area involved which is satisfactory to the Secretary  
3 for the purposes of this Act, and is consistent with  
4 any standards developed pursuant to section 209;

5 “~~(2) (A)~~ shall be made in amounts not exceeding  
6 25 per centum of the estimated reasonable cost of the  
7 project as determined by the Secretary in the case of a  
8 project serving a single municipality and not exceeding  
9 50 per centum of such cost in the case of a project  
10 serving an area including more than one municipality,  
11 and only if the applicant is unable to obtain such  
12 amounts from other sources upon terms and conditions  
13 equally favorable;

14 “~~(B)~~ Notwithstanding any other provision of this  
15 paragraph, the Secretary may increase the amount of  
16 a grant made under ~~(A)~~ by an additional 50 per centum  
17 of such grant for any project which utilizes new or  
18 improved techniques of demonstrated usefulness in re-  
19 ducing the environmental impact of solid waste disposal,  
20 recovery of resources, or recycling useful materials.

21 “~~(3)~~ shall not be made until the applicant has  
22 made provision satisfactory to the Secretary for proper  
23 and efficient operation and maintenance of the project  
24 after completion;

25 “~~(4)~~ shall not be made unless such project is con-

1       sistent with the purposes of the Federal Water Pollution  
2       Control Act and the Clean Air Act; and

3           “(5) may be made subject to such conditions and  
4       requirements, in addition to those provided in this sec-  
5       tion, as the Secretary may require to properly carry  
6       out his functions pursuant to this Act.

7           “(e) In determining the desirability of projects and of  
8       approving Federal financial aid in connection therewith, con-  
9       sideration shall be given by the Secretary to the public  
10      benefits to be derived by the construction and the propriety  
11      of Federal aid in such construction, the relation of the ulti-  
12      mate cost of the project to the public interest and to the pub-  
13      lic necessity for the project, and the use by the applicant of  
14      comprehensive regional or metropolitan area planning.

15          “(d) Not more than 15 per centum of the total of funds  
16      appropriated for the purposes of this section in any fiscal year  
17      shall be granted for projects in any one State. In the case of  
18      a grant for a program in an area crossing State boundaries,  
19      the Secretary shall determine the portion of such grant which  
20      is chargeable to the percentage limitation under this subsec-  
21      tion for each State into which such area extends.

22                           “RECOMMENDED STANDARDS

23          “SEC. 209. (a) The Secretary of Health, Education,  
24      and Welfare shall, in cooperation with appropriate State,  
25      interstate, and regional and local agencies, within eighteen



1 months following the date of enactment of this section, re-  
 2 commend to appropriate agencies standards for solid waste  
 3 collection and disposal systems (including systems for private  
 4 use) which are consistent with health, air, and water pollu-  
 5 tion standards and can be adapted to applicable land use  
 6 plans.

7 “(b) Further, the Secretary shall, as soon as practi-  
 8 cable, recommend model codes, ordinances, and statutes  
 9 which are designed to implement this section and the pur-  
 10 poses of this Act.”

11 SEC. 6. (a) Subsection (a) of section 214 of the Solid  
 12 Waste Disposal Act, as redesignated by this Act, is amended  
 13 by striking out “not to exceed \$19,750,000 for the fiscal  
 14 year ending June 30, 1970.” and inserting in lieu thereof  
 15 the following: “ not to exceed \$46,000,000 for the fiscal  
 16 year ending June 30, 1970, not to exceed \$83,000,000 for  
 17 the fiscal year ending June 30, 1971, not to exceed  
 18 \$152,000,000 for the fiscal year ending June 30, 1972,  
 19 not to exceed \$216,000,000 for the fiscal year ending  
 20 June 30, 1973, and not to exceed \$236,000,000 for the  
 21 fiscal year ending June 30, 1974. The sums so appropriated  
 22 shall remain available until expended.”

23 (b) Subsection (b) of such section 214 is amended  
 24 by striking out “not to exceed \$12,250,000 for the fiscal

1 year ending June 30, 1970.” and inserting in lieu thereof  
 2 the following: “not to exceed \$15,000,000 for the fiscal  
 3 year ending June 30, 1970, not to exceed \$17,500,000  
 4 for the fiscal year ending June 30, 1971, not to exceed  
 5 \$20,000,000 for the fiscal year ending June 30, 1972, not  
 6 to exceed \$22,500,000 for the fiscal year ending June 30,  
 7 1973, and not to exceed \$25,000,000 for the fiscal year  
 8 ending June 30, 1974.”—

9 SEC. 7. The amendments made by this Act shall be  
 10 effective for fiscal years beginning after June 30, 1969.

11 *That this Act may be cited as the “Resource Recovery Act*  
 12 *of 1970”.*

### 13 TITLE I—RESOURCE RECOVERY

14 SEC. 101. Section 202(b) of the Solid Waste Disposal  
 15 Act is amended to read as follows:

16 “(b) The purposes of this Act therefore are—

17 “(1) to promote the demonstration and application  
 18 of solid waste management systems which preserve and  
 19 enhance the quality of air, water, and land resources;

20 “(2) to demonstrate on an areawide systematic  
 21 basis techniques for resources recovery and the manage-  
 22 ment of solid wastes, including systems for collection,  
 23 separation, recovery, and recycling of solid wastes, and  
 24 the environmentally safe disposal of nonrecoverable  
 25 residues;



1           “(3) to provide technical and financial assistance  
2 to States and local governments and interstate agencies  
3 in the planning and development of resource recovery  
4 and solid waste disposal programs;

5           “(4) to promote a national research, development,  
6 and demonstration program for improved management  
7 techniques, more effective organizational arrangements,  
8 and new and improved methods of solid waste collection,  
9 transport, and disposal including studies with emphasis  
10 on conserving and reducing wastes by separation, re-  
11 covery, and utilization of potential resources in solid  
12 wastes; and

13           “(5) to provide for the promulgation of guidelines  
14 for solid waste collection, transport, separation, recovery,  
15 and disposal systems, and for training grants in occupa-  
16 tions involving the design, operation, and maintenance of  
17 solid waste disposal systems.”

18       SEC. 102. (a) Section 203(1) of the Solid Waste  
19 Disposal Act is amended to read as follows:

20           “(1) The term ‘Secretary’ means the Secretary of  
21 Health, Education, and Welfare.”

22       (b) Section 203 of the Solid Waste Disposal Act is  
23 amended by inserting at the end thereof the following:

24           “(7) The term ‘municipality’ means a city, town, bor-

1 ough, county, parish, district, Indian tribe, or other public  
2 body created by or pursuant to State law and having jur-  
3 isdiction over the disposal of solid wastes.

4 “(8) The term ‘intermunicipal agency’ means an agency  
5 established by two or more municipalities with responsibility  
6 for planning or administration of solid waste disposal or  
7 regional environmental protection systems.

8 “(9) The term ‘recovered resources’ means materials or  
9 energy recovered from solid wastes.

10 “(10) The term ‘resource recovery system’ means any  
11 solid waste management system which improves the applica-  
12 tion of technology for collection, separation, recycling, and  
13 recovery of solid wastes, including disposal of nonrecoverable  
14 waste residues.”

15 SEC. 103. (a) Section 204(a) of the Solid Waste Dis-  
16 posal Act is amended to read as follows:

17 “SEC. 204. (a) The Secretary shall conduct, and encour-  
18 age, cooperate with, and render financial and other assistance  
19 to appropriate public (whether Federal, State, interstate, or  
20 local) authorities, agencies, and institutions, private agencies  
21 and institutions, and individuals in the conduct of, and pro-  
22 mote the coordination of, research, investigations, experi-  
23 ments, training, demonstrations, surveys, and studies relat-  
24 ing to—

25 “(1) the health and welfare effects of the environ-



1        *mental release of material present in solid waste and*  
2        *methods to eliminate any adverse effects;*

3            *“(2) the operation and financing of solid waste dis-*  
4        *posal programs;*

5            *“(3) the reduction of the amount of such waste and*  
6        *unsalvageable waste materials;*

7            *“(4) the development and application of new and*  
8        *improved methods of collecting and disposing of solid*  
9        *waste and processing and recovering materials and*  
10       *energy from solid wastes; and*

11           *“(5) the identification of solid waste components*  
12        *and potential materials and energy recoverable from*  
13        *such waste components.”*

14        *(b) Section 204(d) of the Solid Waste Disposal Act is*  
15        *amended to read as follows:*

16           *“(d) There is hereby authorized to be appropriated to*  
17        *carry out this section, not to exceed \$31,500,000 for the*  
18        *fiscal year ending June 30, 1971, not to exceed \$40,500,000*  
19        *for the fiscal year ending June 30, 1972, not to exceed*  
20        *\$40,000,000 for the fiscal year ending June 30, 1973, and*  
21        *not to exceed \$38,500,000 for the fiscal year ending June 30,*  
22        *1974. Such sums as are appropriated shall remain available*  
23        *until expended.”*

24        *SEC. 104. The Solid Waste Disposal Act is amended by*  
25        *redesignating sections 205 and 206 as sections 206 and 207,*

1 respectively, and by inserting after section 204 a new section  
2 as follows:

3 "LIMITATION ON GRANTS

4 "SEC. 205. No grant-in-aid shall be made under this Act  
5 to any private profitmaking organization."

6 SEC. 105. Section 207 of the Solid Waste Disposal Act,  
7 as redesignated by the previous section of this Act, is  
8 amended to read as follows:

9 "GRANTS FOR STATE, REGIONAL, AND LOCAL PLANNING

10 "SEC. 207. (a) The Secretary may from time to time,  
11 upon such terms and conditions as he finds appropriate  
12 make grants to State, interstate, municipal, and intermuni-  
13 cipal agencies, and organizations composed of public officials  
14 which are eligible for assistance under section 701(g) of  
15 the Housing Act of 1954, of not to exceed  $66\frac{2}{3}$  per centum  
16 of the cost in the case of any single State or municipality,  
17 and not to exceed 75 per centum of the cost in the case  
18 of an area including more than one State or municipality  
19 (but less than an entire State), for the purpose of (1) mak-  
20 ing surveys of solid waste disposal practices and problems  
21 within the jurisdictional areas of such agencies, (2) develop-  
22 ing and revising solid waste disposal plans as part of regional  
23 environmental protection systems for such areas, providing  
24 for recycling or recovery of materials from wastes whenever  
25 possible and including planning for the reuse of solid waste



1 disposal areas and studies of the effect and relationship of  
2 solid waste disposal practices on areas adjacent to waste  
3 disposal sites, (3) developing proposals for demonstration  
4 of resource recovery systems to be carried out pursuant to  
5 section 208 of this Act, or (4) planning programs for its  
6 removal and processing of abandoned motor vehicle hulks.

7 “(b) Grants pursuant to this section shall be made  
8 upon application therefor which—

9 “(1) designates or establishes a single agency  
10 (which may be an interdepartmental agency) as the  
11 sole agency for carrying out the purposes of this section  
12 for the area involved;

13 “(2) indicates the manner in which provision will  
14 be made to assure full consideration of all aspects of  
15 planning essential to areawide planning for proper and  
16 effective solid waste disposal consistent with the pro-  
17 tection of the public health and welfare, including such  
18 factors as population growth, urban and metropolitan  
19 development, land use planning, water pollution control,  
20 air pollution control, technological change, and the feasi-  
21 bility of regional disposal and resource recovery  
22 programs;

23 “(3) sets forth plans and budget for expenditure  
24 of such grant, indicating the compatibility of budget  
25 items with the purposes of this section;

1           “(4) provides for submission of such reports of the  
2       activities of the agency in carrying out the purposes of  
3       this section, in such form and containing such informa-  
4       tion, as the Secretary may from time to time find neces-  
5       sary for carrying out the purposes of this section and for  
6       keeping such records and affording such access thereto as  
7       he may find necessary to assure the substantial accuracy  
8       of such reports; and

9           “(5) provides for such fiscal-control and fund-  
10      accounting procedures as may be necessary to assure  
11      proper disbursement of and accounting for funds paid  
12      to the agency under this section.

13          “(c) The Secretary shall make a grant under this sec-  
14      tion only if he finds that there is satisfactory assurance that  
15      so far as practicable, the planning of solid waste disposal will  
16      be coordinated with and not duplicate other related State,  
17      interstate, regional, and local planning activities, including  
18      those financed in part with funds pursuant to section 701  
19      of the Housing Act of 1954.”

20          SEC. 106. The Solid Waste Disposal Act is further  
21      amended by redesignating the last four sections in such Act  
22      as sections 213 through 216, respectively, and by inserting  
23      after section 207, as redesignated by this Act, the following  
24      new sections:



1     “*DEMONSTRATION OF RESOURCE RECOVERY SYSTEMS*

2     “*SEC. 208. (a) The Secretary is authorized to make*  
3 *grants pursuant to this section to any State, municipal, or*  
4 *interstate or intermunicipal agency for the demonstration of*  
5 *resource recovery systems (including the improvement of*  
6 *existing systems).*

7     “*(b) Any such grant shall be made only if it (1) is*  
8 *consistent with any plans for resource recovery systems de-*  
9 *veloped in accordance with the requirements of section 207*  
10 *(b)(2) of this Act; (2) is consistent with any guidelines*  
11 *developed pursuant to section 209 of this Act; (3) is de-*  
12 *signed to provide areawide resource recovery systems con-*  
13 *sistent with the purposes of this Act, as determined by the*  
14 *Secretary, pursuant to regulations promulgated under sub-*  
15 *section (c) of this section; and (4) provides an equitable*  
16 *system for distributing the costs associated with construction,*  
17 *operation, and maintenance of any resource recovery system*  
18 *among the users of such system.*

19     “*(c) The Secretary, within ninety days after the effective*  
20 *date of this section, shall promulgate regulations establishing a*  
21 *procedure for awarding resource recovery system demon-*  
22 *stration grants, which—*

23     “*(1) provides that projects will be carried out in*  
24 *communities of varying sizes, under such conditions and*

1        *in such localities as will assist in solving the community*  
2        *waste problems of urban-industrial centers, metropolitan*  
3        *regions and rural areas, under representative geographic*  
4        *and environmental conditions; and*

5                *“(2) provides a timetable for submission of plans*  
6        *and grant requests, and a timetable for approval of such*  
7        *plans and awarding of such grants.*

8                *“(d) In determining the eligibility of demonstration*  
9        *systems for grants under this section, consideration shall be*  
10       *given by the Secretary to (1) the public benefits to be de-*  
11       *rived by the construction and the propriety of Federal aid*  
12       *in such construction; (2) the economic and commercial via-*  
13       *bility of the project including contractual arrangements with*  
14       *the private sector to market any resources recovered; and*  
15       *(3) the potential of such project for general application to*  
16       *community solid waste disposal problems.*

17                *“(e) No grant for any demonstration system under this*  
18       *section shall exceed 75 per centum of the estimated total*  
19       *design, construction, and first-year operation and mainte-*  
20       *nance costs. No assistance under this section may be pro-*  
21       *vided for operating or maintenance costs after the first year,*  
22       *nor shall any assistance be provided for land acquisition. The*  
23       *non-Federal share may be in any form, including, but not*  
24       *limited to, lands or interests therein needed for the project or*



1 *personal property or services, the value of which shall be*  
2 *determined by the Secretary.*

3       “(f) *There is hereby authorized to be appropriated to*  
4 *carry out this section, not to exceed \$20,000,000 for the*  
5 *fiscal year ending June 30, 1971, not to exceed \$30,000,000*  
6 *for the fiscal year ending June 30, 1972, not to exceed*  
7 *\$50,000,000 for the fiscal year ending June 30, 1973, and*  
8 *not to exceed \$55,000,000 for the fiscal year ending June 30,*  
9 *1974. Such sums as are appropriated shall remain available*  
10 *until expended.*

11                   “RECOMMENDED GUIDELINES

12       “SEC. 209. (a) *The Secretary shall, in cooperation*  
13 *with appropriate State, Federal, interstate, regional, and*  
14 *local agencies, allowing for public comment by other inter-*  
15 *ested parties, as soon as practicable after enactment of this*  
16 *section, recommend to appropriate agencies and publish in the*  
17 *Federal Register guidelines for solid waste recovery, collec-*  
18 *tion, separation, and disposal systems (including systems for*  
19 *private use), which shall be consistent with public health and*  
20 *welfare, and air and water quality standards and adaptable*  
21 *to appropriate land-use plans. Such guidelines shall apply to*  
22 *such systems whether on land or water and shall be revised*  
23 *from time to time.*

24       “(b) *The Secretary shall, as soon as practicable, rec-*  
25 *ommend model codes, ordinances, and statutes which are*

1 *designed to implement this section and the purposes of this*  
2 *Act.*

3       “(c)(1) *The Secretary shall issue to appropriate Fed-*  
4 *eral, interstate, regional, and local agencies information on*  
5 *technically feasible solid waste collection, separation, disposal,*  
6 *recycling, and recovery methods, including data on the cost*  
7 *of construction, operation, and maintenance of such methods.*

8       “(2) *In disseminating such information, the Secretary*  
9 *shall employ models and visual demonstrations which can be*  
10 *transported to communities where such demonstrations would*  
11 *be a useful addition to ordinary sources of technological in-*  
12 *formation, and provide funds to representatives of public and*  
13 *private solid waste disposal agencies or corporations for useful*  
14 *on-site review of solid waste disposal and resource recovery*  
15 *facilities and methods.*

16                               “TRAINING GRANTS

17       “SEC. 210. (a) *The Secretary is authorized to make*  
18 *grants to, and contracts with State and interstate agencies,*  
19 *municipalities, educational institutions, and to any other or-*  
20 *ganization which is capable of effectively carrying out a*  
21 *project which may be funded by grant under subsection (b)*  
22 *of this section.*

23       “(b)(1) *Subject to the provisions of paragraph (2),*  
24 *grants may be made to pay all or a part of the costs, as may*  
25 *be determined by the Secretary, of any project operated or to*



1 *be operated by an eligible institution or organization, which*  
2 *is designed—*

3       “(A) *to develop, expand, or carry out a program*  
4 *of training persons for occupations involving the man-*  
5 *agement, supervision, design, operation, or maintenance*  
6 *of solid waste disposal and resource recovery equip-*  
7 *ment and facilities;*

8       “(B) *to train persons, including teachers, adult*  
9 *basic education personnel, and supervisory personnel, to*  
10 *train or supervise persons in occupations involving the*  
11 *design, operation, and maintenance of solid waste dis-*  
12 *posal and resource recovery equipment and facilities; or*

13       “(C) *to carry out occupational training projects*  
14 *which involve a combination of training, education, and*  
15 *employment in the design, operation, and maintenance*  
16 *of resource recovery systems.*

17       “(2) *A grant or contract authorized by paragraph (1)*  
18 *of this subsection may be made only upon application to the*  
19 *Secretary at such time or times and containing such infor-*  
20 *mation as he may prescribe, except that no such applica-*  
21 *tion shall be approved unless it—*

22       “(A) *provides such fiscal control and fund account-*  
23 *ing procedures as may be necessary to assure proper*  
24 *disbursement of and accounting for Federal funds paid*

1 to the applicant under this section, and provides for  
2 making available to the Secretary or his designate, for  
3 purposes of audit and examination, such books, docu-  
4 ments, papers, and records as relate to any funds re-  
5 ceived under this section;

6 “(B) provides for making such reports, in such  
7 form and containing such information, as the Secretary  
8 may require to carry out his functions under this section,  
9 for keeping such records, and for affording such access  
10 thereto as the Secretary may find necessary to assure the  
11 correctness and verification of such reports; and

12 “(C) provides for (i) a periodic examination of  
13 the effectiveness with which the goals set forth in the  
14 application are being met while the project is in opera-  
15 tion; (ii) the conducting of such examination by an  
16 organization not affiliated with the institution or organi-  
17 zation whose project is being examined; and (iii) fur-  
18 nishing a report of the results of such examination to  
19 the Secretary within thirty days after such examination  
20 is completed.

21 “(c) The Secretary shall—

22 “(1) encourage businesses with operations or prod-  
23 ucts in the solid waste disposal and resource recovery  
24 field to participate in and cooperate with occupational  
25 training programs established with the assistance of



1        *grants or contracts made under subsection (b)(1)(C)*  
2        *of this section; and*

3                *“(2) disseminate information which relates to teach-*  
4        *ing and training methods, materials, and curriculums*  
5        *developed by projects assisted under subsection (b) of*  
6        *this section.*

7        *“(d) The Secretary shall make a complete investigation*  
8        *and study to determine—*

9                *“(1) the need for additional trained State and local*  
10        *personnel to carry out plans assisted under this Act and*  
11        *other solid waste and resource recovery programs;*

12                *“(2) means of using existing training programs to*  
13        *train such personnel; and*

14                *“(3) the extent and nature of obstacles to employ-*  
15        *ment and occupational advancement in the solid waste*  
16        *disposal and resource recovery field which may limit*  
17        *either available manpower or the advancement of per-*  
18        *sonnel in such field.*

19        *He shall report the results of such investigation and study,*  
20        *including his recommendations to the President and the Con-*  
21        *gress not later than one year after enactment of this Act.*

22        *“COOPERATION BY ALL FEDERAL AGENCIES IN THE*

23                *CONTROL OF SOLID WASTE POLLUTION*

24        *“SEC. 211. (a) Each Federal agency having jurisdic-*  
25        *tion over any real property, facility or activity of any kind,*

1 shall insure compliance with guidelines developed under  
2 section 209 and the purposes of this Act in the administration  
3 of such property, facility, or activity.

4 “(b) Each Federal agency which leases any Federal  
5 property or facility of any kind or which contracts for the  
6 operation of any Federal property or facility or which con-  
7 tracts for the entire operation of any other facility, or which  
8 permits or licenses the use of any Federal property shall  
9 insure compliance with guidelines developed under section  
10 209 and the purposes of this Act in the administration of such  
11 lease, contract, license, or permit.

12 “(c) Each Federal agency which issues any license or  
13 permit for disposal of solid waste, shall prior to the issuance  
14 of such license or permit consult with the Secretary to insure  
15 compliance with guidelines developed under section 209  
16 and the purposes of this Act.

17 “NATIONAL DISPOSAL SITES STUDY

18 “SEC. 212. The Secretary shall submit to the Congress  
19 no later than two years after the effective date of this section,  
20 a comprehensive report and plan for the creation of a system  
21 of national disposal sites for the storage and disposal of  
22 hazardous wastes, including radioactive, toxic chemical, bio-  
23 logical, and other wastes which may endanger public health  
24 or welfare. Such report shall include: (a) a list of materials  
25 which should be subject to disposal in any such site; (b) cur-



1 rent methods of disposal of such materials; (c) recom-  
2 mended methods of reduction, neutralization, recovery, or  
3 disposal of such materials; (d) an inventory of possible sites,  
4 including existing land or water disposal sites operated or  
5 licensed by Federal agencies; (e) an estimate of the cost of  
6 developing and maintaining sites including consideration of  
7 means for distributing the short- and long-term costs of op-  
8 erating such sites among the users thereof; and (f) such  
9 other information as may be appropriate.”

10 SEC. 107. Section 216 of the Solid Waste Disposal Act,  
11 as redesignated by this Act, is amended to read as follows:

12 “APPROPRIATIONS

13 “SEC. 216. (a) There is authorized to be appropriated  
14 for carrying out the provisions of this Act, other than those  
15 for which specific authorizations are made, such sums as  
16 may be necessary for the period ending June 30, 1974.

17 “(b) Such portion as the Secretary may determine, but  
18 not more than 1 per centum, of any appropriation for  
19 grants, contracts, or other payments under any provision  
20 of this Act for any fiscal year beginning after June 30,  
21 1970, shall be available for evaluation (directly, or by  
22 grants, or contracts) of any program authorized by this  
23 title.”

24 SEC. 108. The amendments made by this title shall be  
25 effective for fiscal years beginning after June 30, 1970.

1     *TITLE II—NATIONAL MATERIALS POLICY*

2         *SEC. 201. This title may be cited as the “National Mate-*  
3     *rials Policy Act of 1970”.*

4                     *DECLARATION OF PURPOSE*

5         *SEC. 202. It is the purpose of this title to enhance*  
6     *environmental quality and conserve materials by developing*  
7     *a national materials policy to utilize present resources and*  
8     *technology more efficiently, to anticipate the future materials*  
9     *requirements of the Nation and the world, and to make*  
10    *recommendations on the supply, use, recovery, and disposal*  
11    *of materials.*

12                    *ESTABLISHMENT OF COMMISSION*

13         *SEC. 203. (a) There is hereby created the National*  
14     *Commission on Materials Policy (hereafter referred to as the*  
15     *“Commission”) which shall be composed of seven members*  
16     *chosen from Government service and the private sector for*  
17     *their outstanding qualifications and demonstrated competence*  
18     *with regard to matters related to materials policy, to be ap-*  
19     *pointed by the President with the advice and consent of*  
20     *the Senate, one of whom shall be designated as Chairman.*

21         *(b) The members of the Commission shall serve without*  
22     *compensation, but shall be reimbursed for travel, subsistence,*  
23     *and other necessary expenses incurred by them in carrying*  
24     *out the duties of the Commission.*



## DUTIES OF THE COMMISSION

SEC. 204. (a) The Commission shall make a full and complete investigation and study for the purpose of developing a national materials policy which shall include, without being limited to, a determination of—

(1) national and international materials requirements, priorities, and objectives, both current and future, including economic projections;

(2) the relationship of materials policy to (a) national and international population size and (b) the enhancement of environmental quality;

(3) recommended means for the extraction, development, and use of materials which are susceptible to recycling, reuse, or self-destruction, in order to enhance environmental quality and conserve materials;

(4) means of exploiting existing scientific knowledge in the supply, use, recovery, and disposal of materials and encouraging further research and education in this field;

(5) means to enhance coordination and cooperation among Federal departments and agencies in materials usage so that such usage might best serve the national materials policy; and

(6) the feasibility and desirability of establishing

1        *computer inventories of national and international ma-*  
2        *terials requirements, supplies, and alternatives.*

3        *(b) In order to carry out the purposes of this title, the*  
4        *Commission is authorized—*

5            *(1) to request the cooperation and assistance of*  
6        *such other Federal departments and agencies as may*  
7        *be appropriate;*

8            *(2) to appoint and fix the compensation of such*  
9        *staff personnel as may be necessary, without regard to*  
10       *the provisions of title 5, United States Code, governing*  
11       *appointments in the competitive service, and without*  
12       *regard to the provisions of chapter 51 and subchapter*  
13       *III of such title relating to classification and General*  
14       *Schedule pay rates; and*

15           *(3) to obtain the services of experts and consultants,*  
16       *in accordance with the provisions of section 3109 of*  
17       *title 5, United States Code, at rates for individuals not*  
18       *to exceed \$100 per diem.*

19        *(c) The Commission shall submit to the President and*  
20       *to the Congress a report with respect to its findings and*  
21       *recommendations no later than June 30, 1973, and shall*  
22       *terminate not later than ninety days after submission of such*  
23       *report.*

24        *(d) Upon request by the Commission, each Federal*  
25       *department and agency is authorized and directed to furnish,*



1 to the greatest extent practicable, such information and  
2 assistance as the Commission may request.

3 *SEC. 205. When used in this title, the term "materials"*  
4 *means natural resources intended to be utilized by industry*  
5 *for the production of goods, with the exclusion of food.*

6 *AUTHORIZATION OF APPROPRIATIONS*

7 *SEC. 206. There is hereby authorized to be appropriated*  
8 *the sum of \$2,000,000 to carry out the provisions of this*  
9 *title.*

10 *TITLE III—RESOURCE RECOVERY*

11 *INVESTIGATIONS*

12 *SEC. 301. (a) The Secretary of Health, Education, and*  
13 *Welfare shall as soon as practicable carry out an investigation*  
14 *and study to determine—*

15 *(1) means of recovering materials and energy from*  
16 *solid waste, recommended uses of such materials and*  
17 *energy for national or international welfare, including*  
18 *identification of potential markets for such recovered*  
19 *resources, and the impact of distribution of such resources*  
20 *on existing markets;*

21 *(2) changes in current product characteristics and*  
22 *production and packaging practices which would reduce*  
23 *the amount of solid waste;*

24 *(3) methods of collection, separation, and con-*  
25 *tainerization which will encourage efficient utilization*

1        *of facilities and contribute to more effective programs*  
2        *of reduction, reuse, or disposal of wastes;*

3                *(4) the use of Federal procurement to develop mar-*  
4        *ket demand for recovered resources;*

5                *(5) recommended incentives and disincentives (in-*  
6        *cluding Federal grants, loans, and other assistance) to*  
7        *accelerate the reclamation or recycling of materials from*  
8        *solid wastes, with special emphasis on motor vehicle hulks;*

9                *(6) the effect of existing public policies, includ-*  
10        *ing subsidies and economic incentives and disincentives,*  
11        *percentage depletion allowances, capital gains treatment*  
12        *and other tax incentives and disincentives, upon the re-*  
13        *cycling and reuse of materials, and the likely effect of the*  
14        *modification or elimination of such incentives and disin-*  
15        *centives upon the reuse, recycling, and conservation of*  
16        *such materials; and*

17                *(7) the necessity and method of imposing disposal*  
18        *charges on packaging, containers, vehicles, and other*  
19        *manufactured goods, which charges would reflect the cost*  
20        *of final disposal, the value of recoverable components of*  
21        *the item, and any social costs associated with nonre-*  
22        *cycling or uncontrolled disposal of such items.*

23        *The Secretary shall report the results of such investigation*  
24        *and study to the President and the Congress no later than*  
25        *two years after the enactment of this Act.*



1        *(b) There is hereby authorized to be appropriated to*  
2   *carry out this section, not to exceed \$2,000,000 for the period*  
3   *ending June 30, 1972.*

Amend the title so as to read: "A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, to establish a National Commission on Materials Policy, and for other purposes."

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# **A B I L L**

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To amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

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By Mr. MUSKIE, Mr. BAYH, Mr. BOGGS, Mr. COOPER, Mr. EAGLETON, Mr. METCALF, Mr. MONTOMY, Mr. MOSS, Mr. RANDOLPH, Mr. SPONG, Mr. YARBOROUGH, and Mr. YOUNG of Ohio

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APRIL 29, 1969

Read twice and referred to the Committee on Public Works

JULY 23, 1970

Reported with amendments









# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

For actions of July 31, 1970  
91st-2nd; No. 131

### CONTENTS

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HIGHLIGHTS: Rep. Findley criticized farm bill and inserted text of 2 proposed amendments.  
Rep. Poage discussed relationship of farm program to food costs.  
Rep. Mahon included preliminary FY 70 Federal budget results and "budget scorekeeping report" on FY 71 budget.

### HOUSE

1. FARM PROGRAM. Rep. Findley discussed the farm bill, stating that he has "concluded that it is a conspiracy against public understanding" and placed in the Record the texts of 2 amendments to close "slippage loopholes". pp. H7554-6
2. LEGISLATIVE PROGRAM. Rep. Albert announced that S. 2484, authorizing marketing agreements for papayas, would be taken up on the Consent Calendar on Monday, and that HR 18546, the farm bill, is scheduled for consideration the week of August 3. p. H7549

3. CONSUMERS. Rep. Farbstein called attention to an article discussing food-dating and noted the growing concern over the significant amount of out-of-date food being sold to the public. pp. H7550-1
4. POLLUTION. Rep. Anderson, Ill., stated that the Air Quality Act of 1967 is inadequate and the proposed Air Quality Improvement Act of 1970 is necessary to give Federal agencies a stronger hand in preventing pollution of the air. pp. H7559-60
5. ADJOURNED until Monday, August 3.

SENATE

6. WASTE DISPOSAL. Passed with committee amendments S. 2005 to provide financial assistance for the construction of solid waste disposal facilities. pp. S12480-90
7. FARM WORKERS. Sen. Yarborough discussed the health problems of the migrant worker and placed in the Record a Houston Post editorial, "Our Open Scandal". pp. S12534-35
8. FISH; OCEAN RESOURCES. Sen. Hatfield stated that exploitation and oceanic pollution must be solved before the oceans can be used to provide food for the increasing population, and he submitted a magazine article, "The Food from the Sea Myth", for the Record. pp. S12546-8
9. ADJOURNED until Monday, August 3.

EXTENSION OF REMARKS

10. FARM PROGRAM. Rep. Poage discussed how the farm program reduces the cost of food and stated that "To the extent we reduce the Government supplements to the income of the farmer we must increase the marketplace costs by at least three times that amount." p. E7222  
Rep. Hungate called attention to an article "City Congressmen Are Our Friends" which noted the support given to legislation of interest to farmers by Members of Congress representing urban constituencies. p. E7240
11. BUDGET. Rep. Mahon summarized and placed in the Record a summary report giving the preliminary FY 70 budget results and the first "budget scorekeeping report" for the FY 71 budget. pp. E7204-6, E7216-9
12. POLLUTION. Rep. Burton, Utah, inserted an article "Pollution or Conservation: There Is No Choice" discussing some partial solutions proposed by the cattle feeding industry to the problem of pollution. pp. E7223-4





United States  
of America

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Division of Legislative Reporting  
Office of Budget and Finance

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 91<sup>st</sup> CONGRESS, SECOND SESSION

Vol. 116

WASHINGTON, FRIDAY, JULY 31, 1970

No. 131

## Senate

The Senate met at 11 a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

God of our fathers, our God, and our children's God, before Thee the generations pass. We thank Thee for the work of hand and speech and pen in every age by which life has been enriched and Thy kingdom advanced. We bless Thee for our place in the making of history, for the sturdy warriors of the spirit who have moved ahead, and for the vital youths in the ranks which follow. However few or many our days, we thank Thee for life, and that it is lived now when new vistas are opened, new wonders of creation revealed, and new disciplines demanded. O Lord, make us adequate for our time.

To the President, to the Congress, and to all our leaders give that higher wisdom and that nobler courage which belongs to free men under Thy protection and rulership.

In the Redeemer's name. Amen.

### DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore of the Senate (Mr. RUSSELL).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D.C., July 31, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES B. ALLEN, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,  
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed the bill (S. 3586) to amend title VII of the Public Health Service Act to establish eligibility of new schools of medicine, dentistry, osteopathy, pharmacy, optometry, veterinary

medicine, and podiatry for institutional grants under section 771 thereof, to extend and improve the program relating to training of personnel in the allied health professions, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15733) to amend the Railroad Retirement Act of 1937 to provide a temporary 15-percent increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 16915) making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 1 through 22, 24 through 31, and 37 through 41 to the bill, and concurred therein; and that the House receded from its disagreement to the amendments of the Senate numbered 23, 32, and 35 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 18104) to amend section 15(d) of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority, in which it requested the concurrence of the Senate.

### ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore (Mr. ALLEN):

S. 3348. An act to amend title 38, United States Code, to increase the rates of compensation for disabled veterans, and for other purposes; and

H.R. 15733. An act to amend the Railroad Retirement Act of 1937 to provide a tempo-

rary 15-percent increase in annuities, to change for a temporary period the method of computing interest on investments of the railroad retirement accounts, and for other purposes.

### HOUSE BILL REPORTED

The bill (H.R. 18104) to amend section 15(d) of the Tennessee Valley Authority Act of 1933 to increase the amount of bonds which may be issued by the Tennessee Valley Authority, was read twice by its title and referred to the Committee on Public Works.

### THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Thursday, July 30, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, following the remarks of the distinguished senior Senator from Ohio (Mr. Young), there be a period for the transaction of routine morning business with a time limitation of 3 minutes therein.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, with the concurrence of the distinguished Senator from Ohio, who is to be recognized at this time, and taking no time away from him, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

### THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1041 and 1046.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will state the first measure.

S 12479



## RESOURCE RECOVERY ACT OF 1970

The Senate proceeded to consider the bill (S. 2005) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes, which had been reported from the Committee on Public Works, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Resource Recovery Act of 1970".

## TITLE I—RESOURCE RECOVERY

SEC. 101. Section 202(b) of the Solid Waste Disposal Act is amended to read as follows:

"(b) The purposes of this Act therefore are—

"(1) to promote the demonstration and application of solid waste management systems which preserve and enhance the quality of air, water, and land resources;

"(2) to demonstrate on an areawide-systematic basis techniques for resources recovery and the management of solid wastes, including systems for collection, separation, recovery, and recycling of solid wastes, and the environmentally safe disposal of non-recoverable residues;

"(3) to provide technical and financial assistance to States and local governments and interstate agencies in the planning and development of resource recovery and solid waste disposal programs;

"(4) to promote a national research, development, and demonstration program for improved management techniques, more effective organizational arrangements, and new and improved methods of solid waste collection, transport, and disposal including studies with emphasis on conserving and reducing wastes by separation, recovery, and utilization of potential resources in solid wastes; and

"(5) to provide for the promulgation of guidelines for solid waste collection, transport, separation, recovery, and disposal systems, and for training grants in occupations involving the design, operation, and maintenance of solid waste disposal systems."

SEC. 102. (a) Section 203(1) of the Solid Waste Disposal Act is amended to read as follows:

"(1) The term 'Secretary' means the Secretary of Health, Education, and Welfare."

(b) Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

"(7) The term 'municipality' means a city, town, borough, county, parish, district, Indian tribe, or other public body created by or pursuant to State law and having jurisdiction over the disposal of solid wastes.

"(8) The term 'intermunicipal agency' means an agency established by two or more municipalities with responsibility for planning or administration of solid waste disposal or regional environmental protection systems.

"(9) The term 'recovered resources' means materials or energy recovered from solid wastes.

"(10) The term 'resource recovery system' means any solid waste management system which improves the application of technology for collection, separation, recycling, and recovery of solid wastes, including disposal of nonrecoverable waste residues."

SEC. 103. (a) Section 204(a) of the Solid Waste Disposal Act is amended to read as follows:

"SEC. 204. (a) The Secretary shall conduct, and encourage, cooperate with, and render financial and other assistance to appropriate public (whether Federal, State, interstate, or local) authorities, agencies, and institutions, private agencies and institutions, and individuals in the conduct of, and promote the

coordination of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to—

"(1) the health and welfare effects of the environmental release of material present in solid waste and methods to eliminate any adverse effects;

"(2) the operation and financing of solid waste disposal programs;

"(3) the reduction of the amount of such waste and unsalvageable waste materials;

"(4) the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering materials and energy from solid wastes; and

"(5) the identification of solid waste components and potential materials and energy recoverable from such waste components."

(b) Section 204(d) of the Solid Waste Disposal Act is amended to read as follows:

"(d) There is hereby authorized to be appropriated to carry out this section, not to exceed \$31,500,000 for the fiscal year ending June 30, 1971, not to exceed \$40,500,000 for the fiscal year ending June 30, 1972, not to exceed \$40,000,000 for the fiscal year ending June 30, 1973, and not to exceed \$38,500,000 for the fiscal year ending June 30, 1974. Such sums as are appropriated shall remain available until expended."

SEC. 104. The Solid Waste Disposal Act is amended by redesignating sections 205 and 206 as sections 206 and 207, respectively, and by inserting after section 204 a new section as follows:

## "LIMITATION ON GRANTS

"SEC. 205. No grant-in-aid shall be made under this Act to any private profitmaking organization."

SEC. 105. Section 207 of the Solid Waste Disposal Act, as redesignated by the previous section of this Act, is amended to read as follows:

## "GRANTS FOR STATE, REGIONAL, AND LOCAL PLANNING

"SEC. 207. (a) The Secretary may from time to time, upon such terms and conditions as he finds appropriate make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of not to exceed 66⅔ per centum of the cost in the case of any single State or municipality, and not to exceed 75 per centum of the cost in the case of an area including more than one State or municipality (but less than an entire State), for the purpose of (1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies, (2) developing and revising solid waste disposal plans as part of regional environmental protection systems for such areas, providing for recycling or recovery of materials from wastes whenever possible and including planning for the reuse of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites, (3) developing proposals for demonstration of resource recovery systems to be carried out pursuant to section 208 of this Act, or (4) planning programs for its removal and processing of abandoned motor vehicle hulks.

"(b) Grants pursuant to this section shall be made upon application therefor which—

"(1) designates or establishes a single agency (which may be an interdepartmental agency) as the sole agency for carrying out the purposes of this section for the area involved;

"(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health and welfare, including such factors as population growth, urban and metropolitan development, land

use planning, water pollution control, air pollution control, technological change, and the feasibility of regional disposal and resource recovery programs;

"(3) sets forth plans and budget for expenditure of such grant, indicating the compatibility of budget items with the purposes of this section;

"(4) provides for submission of such reports of the activities of the agency in carrying out the purposes of this section, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary to assure the substantial accuracy of such reports; and

"(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

"(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that so far as practicable, the planning of solid waste disposal will be coordinated with and not duplicate other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954."

SEC. 106. The Solid Waste Disposal Act is further amended by redesignating the last four sections in such Act as sections 213 through 216, respectively, and by inserting after section 207, as redesignated by this Act, the following new sections:

## "DEMONSTRATION OF RESOURCE RECOVERY SYSTEMS

"SEC. 208. (a) The Secretary is authorized to make grants pursuant to this section to any State, municipal, or interstate or intermunicipal agency for the demonstration of resource recovery systems (including the improvement of existing systems).

"(b) Any such grant shall be made only if it (1) is consistent with any plans for resource recovery systems developed in accordance with the requirements of section 207(b)(2) of this Act; (2) is consistent with any guidelines developed pursuant to section 209 of this Act; (3) is designed to provide areawide resource recovery systems consistent with the purposes of this Act, as determined by the Secretary, pursuant to regulations promulgated under subsection (c) of this section; and (4) provides an equitable system for distributing the costs associated with construction, operation, and maintenance of any resource recovery system among the users of such system.

"(c) The Secretary, within ninety days after the effective date of this section, shall promulgate regulations establishing a procedure for awarding resource recovery system demonstration grants, which—

"(1) provides that projects will be carried out in communities of varying sizes, under such conditions and in such localities as will assist in solving the community waste problems of urban-industrial centers, metropolitan regions and rural areas, under representative geographic and environmental conditions; and

"(2) provides a timetable for submission of plans and grant requests, and a timetable for approval of such plans and awarding of such grants.

"(d) In determining the eligibility of demonstration systems for grants under this section, consideration shall be given by the Secretary to (1) the public benefits to be derived by the construction and the propriety of Federal aid in such construction; (2) the economic and commercial viability of the project including contractual arrangements with the private sector to market any resources recovered; and (3) the potential of such project for general application to community solid waste disposal problems.



"(e) No grant for any demonstration system under this section shall exceed 75 per centum of the estimated total design, construction, and first-year operation and maintenance costs. No assistance under this section may be provided for operating or maintenance costs after the first year, nor shall any assistance be provided for land acquisition. The non-Federal share may be in any form, including, but not limited to, lands or interests therein needed for the project or personal property or services, the value of which shall be determined by the Secretary.

"(f) There is hereby authorized to be appropriated to carry out this section, not to exceed \$20,000,000 for the fiscal year ending June 30, 1971, not to exceed \$30,000,000 for the fiscal year ending June 30, 1972, not to exceed \$50,000,000 for the fiscal year ending June 30, 1973, and not to exceed \$55,000,000 for the fiscal year ending June 30, 1974. Such sums as are appropriated shall remain available until expended.

#### "RECOMMENDED GUIDELINES

"SEC. 209. (a) The Secretary shall, in cooperation with appropriate State, Federal, interstate, regional, and local agencies, allowing for public comment by other interested parties, as soon as practicable after enactment of this section, recommend to appropriate agencies and publish in the Federal Register guidelines for solid waste recovery, collection, separation, and disposal systems (including systems for private use), which shall be consistent with public health and welfare, and air and water quality standards and adaptable to appropriate land-use plans. Such guidelines shall apply to such systems whether on land or water and shall be revised from time to time.

"(b) The Secretary shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act.

"(c) (1) The Secretary shall issue to appropriate Federal, interstate, regional, and local agencies information on technically feasible solid waste collection, separation, disposal, recycling, and recovery methods, including data on the cost of construction, operation, and maintenance of such methods.

"(2) In disseminating such information, the Secretary shall employ models and visual demonstrations which can be transported to communities where such demonstrations would be a useful addition to ordinary sources of technological information, and provide funds to representatives of public and private solid waste disposal agencies or corporations for useful on-site review of solid waste disposal and resource recovery facilities and methods.

#### "TRAINING GRANTS

"SEC. 210. (a) The Secretary is authorized to make grants to, and contracts with State and interstate agencies, municipalities, educational institutions, and to any other organization which is capable of effectively carrying out a project which may be funded by grant under subsection (b) of this section.

"(b) (1) Subject to the provisions of paragraph (2), grants may be made to pay all or a part of the costs, as may be determined by the Secretary, of any project operated or to be operated by an eligible institution or organization, which is designed—

"(A) to develop, expand, or carry out a program of training persons for occupations involving the management, supervision, design, operation, or maintenance of solid waste disposal and resource recovery equipment and facilities;

"(B) to train persons, including teachers, adult basic education personnel, and supervisory personnel, to train or supervise persons in occupations involving the design, operation, and maintenance of solid waste disposal and resource recovery equipment and facilities; or

"(C) to carry out occupational training projects which involve a combination of training, education, and employment in the design, operation, and maintenance of resource recovery systems.

"(2) A grant or contract authorized by paragraph (1) of this subsection may be made only upon application to the Secretary at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it—

"(A) provides such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section, and provides for making available to the Secretary or his designate, for purposes of audit and examination, such books, documents, papers, and records as relate to any funds received under this section;

"(B) provides for making such reports, in such form and containing such information, as the Secretary may require to carry out his functions under this section, for keeping such records, and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

"(C) provides for (i) a periodic examination of the effectiveness with which the goals set forth in the application are being met while the project is in operation; (ii) the conducting of such examination by an organization not affiliated with the institution or organization whose project is being examined; and (iii) furnishing a report of the results of such examination to the Secretary within thirty days after such examination is completed.

"(c) The Secretary shall—

"(1) encourage business with operations or products in the solid waste disposal and resource recovery field to participate in and cooperate with occupational training programs established with the assistance of grants or contracts made under subsection (b) (1) (C) of this section; and

"(2) disseminate information which relates to teaching and training methods, materials, and curriculums developed by projects assisted under subsection (b) of this section.

"(d) The Secretary shall make a complete investigation and study to determine—

"(1) the need for additional trained State and local personnel to carry out plans assisted under this Act and other solid waste and resource recovery programs;

"(2) means of using existing training programs to train such personnel; and

"(3) the extent and nature of obstacles to employment and occupational advancement in the solid waste disposal and resource recovery field which may limit either available manpower or the advancement of personnel in such field.

He shall report the results of such investigation and study, including his recommendations to the President and the Congress not later than one year after enactment of this Act.

#### "COOPERATION BY ALL FEDERAL AGENCIES IN THE CONTROL OF SOLID WASTE POLLUTION

"SEC. 211. (a) Each Federal agency having jurisdiction over any real property, facility or activity of any kind, shall insure compliance with guidelines developed under section 209 and the purposes of this Act in the administration of such property, facility, or activity.

"(b) Each Federal agency which leases any Federal property or facility of any kind or which contracts for the operation of any Federal property or facility or which contracts for the entire operation of any other facility, or which permits or licenses the use of any Federal property shall insure compliance with guidelines developed under section 209 and the purposes of this Act in the ad-

ministration of such lease, contract, license, or permit.

"(c) Each Federal agency which issues any license or permit for disposal of solid waste, shall prior to the issuance of such license or permit consult with the Secretary to insure compliance with guidelines developed under section 209 and the purposes of this Act.

#### "NATIONAL DISPOSAL SITES STUDY

"SEC. 212. The Secretary shall submit to the Congress no later than two years after the effective date of this section, a comprehensive report and plan for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes, including radioactive, toxic chemical, biological, and other wastes which may endanger public health or welfare. Such report shall include: (a) a list of materials which should be subject to disposal in any such site; (b) current methods of disposal of such materials; (c) recommended methods of reduction, neutralization, recovery, or disposal of such materials; (d) an inventory of possible sites, including existing land or water disposal sites operated or licensed by Federal agencies; (e) an estimate of the cost of developing and maintaining sites including consideration of means for distributing the short- and long-term costs of operating such sites among the users thereof; and (f) such other information as may be appropriate."

SEC. 107. Section 216 of the Solid Waste Disposal Act, as redesignated by this Act, is amended to read as follows:

#### "APPROPRIATIONS

"SEC. 216. (a) There is authorized to be appropriated for carrying out the provisions of this Act, other than those for which specific authorizations are made, such sums as may be necessary for the period ending June 30, 1974.

"(b) Such portion as the Secretary may determine, but not more than 1 per centum, of any appropriation for grants, contracts, or other payments under any provision of this Act for any fiscal year beginning after June 30, 1970, shall be available for evaluation (directly, or by grants, or contracts) of any program authorized by this title."

SEC. 108. The amendments made by this title shall be effective for fiscal years beginning after June 30, 1970.

#### TITLE II—NATIONAL MATERIALS POLICY

SEC. 201. This title may be cited as the "National Materials Policy Act of 1970".

#### DECLARATION OF PURPOSE

SEC. 202. It is the purpose of this title to enhance environmental quality and conserve materials by developing a national materials policy to utilize present resources and technology more efficiently, to anticipate the future materials requirements of the Nation and the world, and to make recommendations on the supply, use, recovery, and disposal of materials.

#### ESTABLISHMENT OF COMMISSION

SEC. 203. (a) There is hereby created the National Commission on Materials Policy (hereafter referred to as the "Commission") which shall be composed of seven members chosen from Government service and the private sector for their outstanding qualifications and demonstrated competence with regard to matters related to materials policy, to be appointed by the President with the advice and consent of the Senate, one of whom shall be designated as Chairman.

(b) The members of the Commission shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Commission.

#### DUTIES OF THE COMMISSION

SEC. 204. (a) The Commission shall make a full and complete investigation and study for the purpose of developing a national materials policy which shall include, without being limited to, a determination of—



(1) national and international materials requirements, priorities, and objectives, both current and future, including economic projections;

(2) the relationship of materials policy to (a) national and international population size and (b) the enhancement of environmental quality;

(3) recommended means for the extraction, development, and use of materials which are susceptible to recycling, reuse, or self-destruction, in order to enhance environmental quality and conserve materials;

(4) means of exploiting existing scientific knowledge in the supply, use, recovery, and disposal of materials and encouraging further research and education in this field;

(5) means to enhance coordination and cooperation among Federal departments and agencies in materials usage so that such usage might best serve the national materials policy; and

(6) the feasibility and desirability of establishing computer inventories of national and international materials requirements, supplies, and alternatives.

(b) In order to carry out the purposes of this title, the Commission is authorized—

(1) to request the cooperation and assistance of such other Federal departments and agencies as may be appropriate;

(2) to appoint and fix the compensation of such staff personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of such title relating to classification and General Schedule pay rates; and

(3) to obtain the services of experts and consultants, in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed \$100 per diem.

(c) The Commission shall submit to the President and to the Congress a report with respect to its findings and recommendations no later than June 30, 1973, and shall terminate not later than ninety days after submission of such report.

(d) Upon request by the Commission, each Federal department and agency is authorized and directed to furnish, to the greatest extent practicable, such information and assistance as the Commission may request.

SEC. 205. When used in this title, the term "materials" means natural resources intended to be utilized by industry for the production of goods, with the exclusion of food.

#### AUTHORIZATION OF APPROPRIATIONS

SEC. 206. There is hereby authorized to be appropriated the sum of \$2,000,000 to carry out the provisions of this title.

#### TITLE III—RESOURCE RECOVERY INVESTIGATIONS

SEC. 301. (a) The Secretary of Health, Education, and Welfare shall as soon as practicable carry out an investigation and study to determine—

(1) means of recovering materials and energy from solid waste, recommended uses of such materials and energy for national or international welfare, including identification of potential markets for such recovered resources, and the impact of distribution of such resources on existing markets;

(2) changes in current product characteristics and production and packaging practices which would reduce the amount of solid waste;

(3) methods of collection, separation, and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse, or disposal of wastes;

(4) the use of Federal procurement to develop market demand for recovered resources;

(5) recommended incentives and disincentives (including Federal grants, loans, and other assistance) to accelerate the reclama-

tion or recycling of materials from solid wastes, with special emphasis on motor vehicle hulks;

(6) the effect of existing public policies, including subsidies and economic incentives and disincentives, percentage depletion allowances, capital gains treatment and other tax incentives and disincentives, upon the recycling and reuse of materials, and the likely effect of the modification or elimination of such incentives and disincentives upon the reuse, recycling, and conservation of such materials; and

(7) the necessity and method of imposing disposal charges on packaging, containers, vehicles, and other manufactured goods, which charges would reflect the cost of final disposal, the value of recoverable components of the item, and any social costs associated with nonrecycling or uncontrolled disposal of such items.

The Secretary shall report the results of such investigation and study to the President and the Congress no later than two years after the enactment of this Act.

(b) There is hereby authorized to be appropriated to carry out this section, not to exceed \$2,000,000 for the period ending June 30, 1972.

#### TRIBUTE TO SENATOR MUSKIE AND SENATOR RANDOLPH FOR RESOURCE RECOVERY ACT OF 1970

Mr. MANSFIELD. Mr. President, as the Senate considers this highly important measure it should have the benefit of the thoughts and remarks of the two Members of this body who have provided the outstanding leadership that has been vital to this aspect of our environmental campaign. I refer, of course, to Senators ED MUSKIE of Maine and JENNINGS RANDOLPH of West Virginia.

By necessity, both Senators are occupied on business away from the Chamber this morning. They have prepared statements, however, which address every feature of the Resource Recovery Act with great depth and understanding. In summing it up, I note that Senator MUSKIE says:

The intent of this bill is to stimulate the development of resource recovery methods which will provide for the more economic use of wastes.

That is truly a worthy goal, and, it must be said, that when achieved—when we solve the problems created by residue, by unusable byproducts, by litter and by all the useless materials that clutter our lives—it will have been because of the efforts of men like ED MUSKIE and JENNINGS RANDOLPH. The Senate is deeply grateful.

I ask unanimous consent, Mr. President, that these excellent statements of Senator MUSKIE and Senator RANDOLPH on this measure, along with certain attachments be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR EDMUND S. MUSKIE, CHAIRMAN, SUBCOMMITTEE ON AIR AND WATER POLLUTION

Mr. MUSKIE. Mr. President, today the Senate considers the Resource Recovery Act of 1970, S. 2005. This bill marks a major new Federal commitment to recycling of materials and energy as an alternative to the wasteful and often environmentally damaging solid waste disposal practices of the past.

Solid waste is the residue of production and consumption—a by-product of air and water pollution control—the litter that peo-

ple promiscuously discard on the countryside—the "unusable" over-burden of mining operations and the inedible remainder of agricultural production.

Solid waste falls into two categories: (1) planned disposal materials which are part of the Nation's production and consumption patterns, and (2) resources which have no known or economic use. In both instances solid waste is almost always a resource which, with ingenuity, can be used and re-used.

This Nation has always enjoyed resource abundance and has acted as though that abundance would last forever. Studies prepared for the Senate Committee on Public Works, testimony before the Subcommittee on Air and Water Pollution, and information generally available suggest that anticipation of continued resource abundance is not only unwise—it is folly.

Our resources fall in three categories—renewable, nonrenewable, and recoverable. Many, including forest and agricultural resources, and renewable resources. Nonrenewable (energy) resources produce only small amounts of solid waste while contributing substantially to air and water pollution problems if uncontrolled. Recoverable resources are those which maintain useful physical or chemical properties throughout their process of use and therefore can be continuously recycled in the production-consumption process.

And the nation has no choice. Consumption increases at a greater rate than population growth. Exhaustion of the Nation's resource base is a very real possibility. Already some industries see recycled waste as a more economic source of materials than primary sources.

But this recognition has neither reversed the trend toward greater waste generation nor reduced the burden on communities and other units of government which have assumed, albeit unwillingly, in the some cases, the task of waste disposal.

Community waste disposal has, for centuries, been solved by a simple method—combustion. Open burning dumps in less urban areas and huge incinerators in major communities have provided major sources of stench and air pollution.

Today few communities are allowed the luxury of simple waste combustion. Most areas of the nation have turned to sanitary landfills (most of which are not at all sanitary) and "clean" incinerators (many of which are not at all clean). In both cases a solid waste problem is solved, but often air and water pollution problems result, and resources are always wasted.

This legislation is designed to develop systems which will change the present method of dealing with solid waste problems of communities, of farms, and of industries. The intent of this bill is to stimulate the development of resource recovery methods which will provide for more economic use of wastes.

The bill would authorize intensified research and demonstration of methods to improve collection and transportation of wastes, and development of environmentally safe methods to dispose of non-reusable waste residues. In those cases where wastes are too toxic for traditional disposal methods, the bill would authorize a study of the development of national toxic waste disposal sites. And, for those wastes which can be converted to energy, the bill would authorize development of efficiency energy conversion units.

The Committee carefully evaluated the desirability of legislation to provide direct financial assistance to communities to construct solid waste disposal facilities. This provision, included in S. 2005 as originally introduced, was rejected for three reasons: (1) construction grants at this time could lock in existing conventional technology, (2) even clean incinerators and sanitary landfills would not conserve resources, and (3) a large Federal



grant authorization program at this time might retard present community efforts unless appropriations kept pace with authorizations, which is not likely.

As the reported bill clearly reflects, there is an urgent need to redirect the thrust of waste management from disposal to the maximum recovery of reusable materials and energy. The authorization of a construction grant program at this time could result in a massive commitment to presently available technology oriented towards disposal. To avoid stimulating investment in inadequate technology the Committee has substituted a systems demonstration provision for the proposed construction grant provision.

Consistent with the judgment that the Nation cannot afford merely to dispose of the tremendous volume of material that is generated by an industrial and consuming society, especially in urban concentrations, and recognizing further that a great deal of research has been done on resources recovery, the Committee has substituted for the construction grant proposal a new program of grants to municipalities to achieve demonstration of resources recovery systems on an areawide basis. This program is designed to stimulate, in the shortest time, the development of systems designed to manage growing volumes of community wastes and achieve maximum recovery of materials and energy from such wastes.

Throughout the hearings on resources recovery, testimony was received describing various technologies and systems to achieve resources recovery. The Committee believes it is urgent national policy to move these proposals into actual application and operation in as many different areas, from large metropolitan complexes to smaller communities, as necessary to demonstrate demonstrative innovation and responsive resources recovery systems. Such systems can then be applied, as appropriate, to all areas of the country in which similar problems exist.

The program would provide 75 percent Federal assistance to develop and construct advanced systems of resources recovery in various categories of communities established by the Secretary in order to demonstrate systems applicable in different urban and rural conditions.

It is the Committee's intent that the program authorized shall be one which will, in many respects, parallel the type of research and development procurement conducted by the Department of Defense and the National Aeronautics and Space Administration in the sense that the Secretary is authorized to promulgate regulations describing the categories of systems for which applications will be received, specifying that such applications are to be received by a certain date and further establishing guidelines for review of such applications.

Grants are to be awarded only to those applications which the Secretary finds to be clearly superior with respect to the system of resource recovery proposed, the economics of the system, and the potential for general application for solution of the myriad of waste problems. It should be emphasized that the selection procedure thereby established is not competition based strictly upon low cost, but rather is competition to stimulate innovative systems, which recover the maximum amount of materials and energy.

The Committee looks upon the proposed demonstration grant program as a method of stimulating not just the development of technology, and its areawide application, but it will also cause communities to study their own circumstances with respect to waste management. Through such studies, communities will be able to provide better public service to their citizens in the future and be in a position to apply systems that are developed pursuant to these demonstration grants, as they become available. The Com-

mittee hopes that communities will take immediate advantage of this program, and seeks to encourage that result by Section 207(a) (3) of the reported bill, which would authorize Federal assistance to develop proposals for resource recovery demonstration grants for submission to the Secretary.

The Committee believes that future Federal financial assistance to communities for construction of facilities may be necessary. Demonstration systems developed pursuant to this act will provide guidance as to what kinds of construction should be assisted, what recovery techniques will be most economical, and what collection innovations will most effectively reduce the cost of waste handling.

Further, other studies authorized by this bill will provide insights into methods to reduce the production of waste in packaging in manufacturing of goods, design of vehicles and other consumer goods which are discarded after use.

This provision, in Title III of the bill would require a study of recommended incentives and disincentives (including grant programs) to accelerate recycling, with special emphasis in motor vehicle hulks, and on examination of the necessity and method of imposing disposal charges on vehicles, as well as on packaging, containers, and other manufactured goods. The latter concept, proposed by Senator Nelson, would require the imposition of disposal charges on products reflecting the cost of final disposal, the value of recoverable components of the item, and any social costs associated with noncycling or uncontrolled disposal of such goods.

Senator Nelson's proposal, as well as Senator Javits' amendment which would have imposed a fee on motor vehicles sufficient to cover the cost of disposal of vehicle hulks, were of great interest to the Committee. However, both the Nelson and Javits legislation would require consideration by the Senate Committees on Finance and Commerce prior to enactment. It was the conclusion of the Committee that these two proposals should be referred to these Committees for comment and later action. This action of the Committee on Public Works should not be interpreted as rejection of the concepts included in S. 3665 and amendment 705. Evidence presented at the hearings suggests that some products will require disposal charges in order to assure orderly marketing and recovery. Identification of the specific amount of any charge and the manner in which it might be levied is, however, beyond the jurisdiction of the Senate Committee on Public Works.

The study required by this section should include a discussion of the above question in order that the appropriate congressional committees can carry out their responsibilities.

Also, the study of disposal charges and other incentives to accelerate recycling of motor vehicles and other products should include careful examination of the system recommended by Leonard S. Wegman which would require the imposition of a flat fee on all waste produced, with the revenue to be used to finance waste disposal and recovery facilities. This is a concept which might subsequently be demonstrated under section 204 of the Solid Waste Disposal Act.

Legislation offered by Senator Gurney in Committee to establish a program of financial assistance to dispose of motor vehicles was not included in this bill because little evidence was available in the hearing record to substantiate the need for direct grants to the States to dispose of abandoned cars. Approximately 1 million motor vehicles are abandoned each year, amounting to 1 to 2 million tons of waste. Since urban waste amounts to approximately 180 million tons annually, abandoned motor vehicles comprise only 0.6 to 1.1 percent of the Nation's urban

solid waste problem. The Committee was concerned that the Federal costs of a grant program would be borne by the general taxpayers, without transferring the costs of disposal to the vehicle owners who are responsible for creating this form of waste.

The Committee on Public Works sees merit in the proposals by Senators Javits and Gurney on solutions to the growing problem of abandoned motor vehicle hulks. Therefore, in order to more fully explore this particular aspect of solid waste, the Subcommittee will hold hearings, August 18 and 19 on Senator Javits' and Senator Gurney's legislation.

At these hearings, the Subcommittee will invite the views of the Administration, the Council of State Governments, the Automobile Manufacturer's Association, and the Institute of Scrap Iron and Steel, as well as other interested parties. This will allow the Subcommittee to examine in greater detail the questions raised above.

A study under title III of the bill, proposed by Senator Eagleton will examine the interrelationship between efforts to encourage recycling and a broad range of public policies, including subsidies, percentage depletion allowances, capital gains treatment, and other inducements to the exploitation of raw materials. The study will indicate how such policies might be altered to encourage, rather than discourage, the recycling of materials and recovery of energy.

This bill expands the planning grant programs presently contained in the Solid Waste Disposal Act, including an eligible recipients municipalities, intermunicipal agencies, and metropolitan councils of governments. Also it increases the Federal share from 50 percent to 66⅔ percent for single State or municipality planning units and 75 percent for multi-jurisdictional interstate or intermunicipal planning areas.

New planning activities are embraced in this bill: developing proposals for demonstration resource recovery systems to be funded under this Act, and planning programs for the removal and processing of abandoned motor vehicle hulks.

The bill contains an amended form of the training grant program proposed by Senator Javits in Amendment Number 652. This provides grants for training personnel in the design, operation, and maintenance or resource recovery and solid waste disposal facilities. It also authorizes a study of the need for additional trained personnel and obstacles to employment or occupational advancement in the solid waste field.

Title II of the bill is the National Materials Policy Act, which Senator Boggs proposed in Amendment Number 153. This title creates a National Commission on Materials Policy, which would report within two years on future materials requirements and means for the extraction, development and use of materials susceptible to recycling or nonpolluting disposal.

S. 2005, as reported, would authorize \$309.5 million over four years in specific program authorizations and such additional sums as may be necessary for administrative expenses and the other programs in the Act. This open-ended authorization is estimated to require about \$114 million total over the four fiscal years.

Of the \$309.5 million in specified authorizations, \$2 million is authorized for the National Commission on Materials Policy under title II and \$2 million for the two year resource recovery investigations carried out under title III.

Out of the balance, demonstration grants for resource recovery systems would receive \$20 million in fiscal year 1971, \$30 million in fiscal year 1972, \$50 million in fiscal year 1973, and \$55 million in fiscal year 1974, for a total of \$155 million.

The research program under the Act, expanded to emphasize recycling, would re-



ceive \$31.5 million in fiscal year 1971, \$40.5 million in fiscal year 1972, \$40 million in fiscal year 1973, and \$38.5 million in fiscal year 1974, for a total of \$150.5 million.

This compares to an authorization in existing law of \$32 million for fiscal year 1970, primarily for research, planning grants, and administrative expenses. The House-passed bill, H.R. 11833, authorizes for all programs \$100.5 million in fiscal year 1971, \$172 million in fiscal year 1972, and \$238.5 million in fiscal year 1973, a total of \$511 million for the three year authorization period.

#### SECTION-BY-SECTION ANALYSIS

##### TITLE I. RESOURCES RECOVERY

Section 202 (findings and purpose).

New language is added describing the purposes of the Act, to emphasize recycling, local planning, and training functions.

Section 203 (definitions).

The Department of Interior's responsibility under existing law for disposal of mineral solid waste is eliminated, and HEW assumes complete authority. Several new definitions are added, including municipality, intermunicipal agency, recovered resources and resource recovery systems, to which other provisions of this Act are keyed.

Section 204 (research).

This section adds new language to the ongoing research program, shifting the emphasis from disposal to recycling and adding instructions to investigate the public health and welfare effects of solid waste.

Section 204(d) authorizes annual research appropriations of \$31.5 million, \$40.5 million, \$40 million, and \$38.5 million through fiscal 1974.

Section 205 (new-grant limitations).

This section provides that no grant under any program of the Solid Waste Act can be made to a profit-making organization. Note that Section 204(b) presently allows research contracts with such an organization.

Section 206 (interstate cooperation).

Unchanged (renumbered).

Section 207 (regional and local planning grants).

This replaces 50 percent State grants for planning activities with 66⅔ percent grants for single municipalities and States, and 75 percent grants for planning solid waste programs in an area of more than one municipality or State.

The grants may be used for (1) making surveys of solid waste problems, (2) preparing solid waste disposal plans for the area (especially those emphasizing recycling), (3) developing proposals for Section 208 demonstration system grants, and (4) preparing plans for collecting and recovering abandoned motor vehicle hulks.

Section 208 (new-demonstration grants for resource recovery systems).

This section provides for grants to varying sizes of communities to demonstrate resource recovery systems. These systems have to be area-wide, reflecting a variety of solid waste problems (including those of smaller towns and rural areas). A system must be consistent with plans developed in accordance with Section 207(b) (2) and with Section 209 guidelines. A proposal for a system grant must also provide assurance that an equitable means exists for distributing the costs amount the users of the system.

The bill authorizes annual appropriations of \$20 million, \$30 million, \$50 million and \$55 million through Fiscal Year 1974.

Section 209 (new—recommended guidelines)

This section directs the Secretary to prepare guidelines on solid waste management practices for circulation to State and local governments. These guidelines are advisory except when such State of locality applies for a demonstration grant under Section 208. This Section also requires the Secretary to recommend model codes and ordinances, and to issue technical information on solid waste and resource recovery methods to solid waste agencies, and includes authority to transport models to various communities and funding of on-site review of solid waste disposal and resource recovery facilities by solid waste personnel.

Section 210 (new—training grants).

This section provides training grants to assist in the development of personnel trained in the design, operation and maintenance of solid waste disposal and recovery equipment and systems.

Section 210(d) directs a study within one year on the need for additional trained personnel and obstacles to employment or occupational advancement.

The Bureau of Solid Waste Management estimates the cost of this section to be about \$8 million a year, but the bill provides no specific authorization.

Section 211 (new—cooperation by all Federal agencies in the control of solid waste pollution).

This section requires Federal installations and federally licensed activities to meet solid waste guidelines of Section 209. This would include ocean dumping activities licensed by the Corps of Engineers.

Section 212 (new-national disposal sites study).

This section authorizes a two-year study to create a system of national disposal sites for hazardous materials.

Section 213–215. Unchanged (renumbered).

Section 216 (appropriations).

This section authorizes "such sums as may be necessary", excluding the funds specifically provided for (1) research, and (2) resource recovery system demonstration grants. These two specific authorizations provide for fiscal 1971 a \$51.5 million authorization, fiscal 1972 a \$70.5 million authorization, fiscal 1973 a \$90 million authorization, and fiscal 1974 a \$93.5 million authorization.

#### TITLE II (NATIONAL COMMISSION ON MATERIALS POLICY)

This title creates a Commission to develop a national materials policy. In developing this policy the Commission would study materials requirements (national and international), the relationship of materials policy to population and environmental quality; means for utilizing more materials "which are susceptible to recycling, reuse, or self-destruction"; and general ways to improve or coordinate knowledge of materials usage. The commission would be required to report by June 30, 1973, with an authorization of \$2,000,000.

#### TITLE III (RESOURCE RECOVERY STUDY)

This title places special emphasis on the policy implications of a change from disposal to resource recovery. It authorizes a two-year study of issues in resource recovery, including means of recovering materials and energy; examination of the economic impact of recovered resources; changes in production and packaging practices (including disposal charges) to reduce wastes; efficient solid waste facilities utilization; the use of Federal procurement to develop market demand for recovered resources; and incentives and disincentives to recycling (including tax policies).

#### S. 2005 AUTHORIZATIONS

[In millions]

Program	Fiscal year				Total	Program	Fiscal year				Total
	1971	1972	1973	1974			1971	1972	1973	1974	
Sec. 204: (Research pilot programs, component demonstrations).....	31.5	40.5	40.0	38.5	150.5	General authorizations (such sums as may be necessary, estimated by program):					
Sec. 208: (Resource recovery system demonstrations).....	20.0	30.0	50.0	55.0	155.0	Training (sec. 210).....	8.0	8.0	8.0	8.0	32.0
Title I, total.....	51.5	70.5	90.0	93.5	305.5	Planning (sec. 207).....	8.6	14.9	12.9	10.8	47.2
Title II: (National Commission on Materials Policy).....		2.0			2.0	Other activities.....	7.9	8.5	8.6	9.7	34.7
Title III: (Resource recovery investigations).....		2.0			2.0	Total.....	24.5	31.4	29.5	28.5	113.9
Total: (Specific authorizations)...	51.5	74.5	90.0	93.5	309.5	House bill.....	100.5	172.0	238.5		511.0

#### STATEMENT BY SENATOR JENNINGS RANDOLPH, CHAIRMAN, COMMITTEE ON PUBLIC WORKS

Mr. RANDOLPH. Mr. President, the Solid Waste Disposal Act of 1965 launched a new program to develop efficient means of collecting and disposing of the millions of tons of solid wastes generated by our society each year. Although considerable progress was made in State and local planning under the 1965 act toward solutions of the solid wastes problems facing our country, it was apparent as early as 1967 that additional efforts were needed.

President Johnson, in his conservation message of March 11, 1968, called for a comprehensive review of current solid waste disposal technology by the Director of the Office of Science and Technology working with the appropriate Cabinet officers. This review was to consider two key problems: first, how to lower the present high costs of solid waste disposal, and second, how to improve and strengthen Government-wide research and development in this field.

In order to facilitate this study and to further action on the problem, the Congress

provided a 1-year extension of the Solid Waste Disposal Act.

The Office of Science and Technology Task Force was chaired by Professor Rolf Ellissen of Stanford University. The Task Force report was entitled, "Solid Waste Management," and was released by the Office of Science and Technology on October 1, 1969.

Concurrently, a study was undertaken by the Ad Hoc Committee on Solid Waste Management for the National Academy of Engineering. The Committee's chairman was Donald N. Frey, president of the General Cable



Corporation and its report was entitled, "Policies for Solid Waste Management."

Both of these reports stress the magnitude and crisis proportions of solid waste disposal problem facing the United States.

The average amount of solid waste actually collected in this country is over 5.3 pounds per person per day, or more than 190 millions tons per year. There are estimates that this will increase to 8 pounds per person per day of 1980. And this doesn't include industrial wastes amounting to another 3 pounds per person per day.

Presently, the Nation spends an estimated \$4.5 billion a year to handle and dispose of this material from which, practically speaking, we do not recover anything of useful value.

As a matter of fact, in almost every area, the present methods of handling and disposing of solid waste are polluting our environment.

The problem in the District of Columbia is not greatly different from that which is being experienced in cities and urban areas throughout the Nation. Here, for instance, we are producing 875,000 tons of solid waste per year—an increase from 650,000 tons in 1965.

The problem, however, involves more than just dealing with large quantities of solid wastes. There is a long association between health hazards and inadequate collection and disposal of solid wastes.

For example, studies have demonstrated the relationship between poorly managed solid waste during collection, transport, and disposal operations and more than 22 diseases transmitted by cockroaches, rats, and flies. In the last 15 years in the District of Columbia alone the number of reported rat bites has been approximately 750, and 290 of these occurred in infants less than 2 years of age, and 151 in infants under 1 year of age.

In testimony, Dr. Paul Cornely, President of the American Public Health Association, discussed the adequacy of collection in the inner city and the implication of accumulating trash and garbage:

"It appears to me that in this country we have a great deal more concern about animals than we do about human beings.

"For instance, the standards for milk in this country, throughout the States, have requirements about the barns in which the milk cows shall live. They have standards as to the surroundings of these barns, and if one goes to any of these places, one never sees garbage and trash around these barns.

"Now if this is good for cattle it is good for the inner city person. It is interesting also that we have a Society for the Prevention of Cruelty to Animals in this country on a volunteer basis. But I would like to suggest that we should have a society for the prevention of cruelty to infants and children; let us be humane to human beings, and why should children be bitten by rats?"

The health of all our people is intimately connected with the home and its surroundings. External improvement around the home and neighborhood are more important in improving the quality of our lives than any other single factor.

Solutions to the solid wastes problems facing this Nation will require the full application of all knowledge and expertise of the public, private, and academic sectors of our economy. The Solid Waste Disposal Act of 1965 provided for research and demonstration of new and improved methods for solid waste collection, transport, recovery and reuse, and disposal.

Additional research is needed on methods for financing solid waste management systems and operating such systems efficiently and economically. Data are needed regarding the interrelationships of regional economics and amounts of solid wastes generated, the economics of large scale solid waste management systems, and the economics of those

technologies now available or under development.

Methods must also be developed to reduce these growing volumes of wastes. Today, it is a staggering 5.3 pounds for each American every day of the year, and by 1980 it will be 8 pounds of waste a day. Studies indicate that the cost of removing these wastes are growing even faster.

The packaging and other container industries are accelerating the problem. In 1966, discarded packaging materials represented 13.3 percent of the 350 million tons of residential, commercial, and industrial waste generated in the United States.

Glass and metal package containers amount to 90 percent of typical municipal incinerator residues.

The American consumer and taxpayer could not only help relieve the problem, but could save himself money in the process. It is estimated that in 1970 if all soft drinks were purchased in returnable, money-back containers, American consumers could have saved an estimated \$650,000,000. This was the cost for the convenience of using throw-away containers.

There is considerable potential for metal and mineral recovery and reuse from incinerator residues. Significant progress has been made in this regard by the College Park Metallurgy Research Center of the University of Maryland at College Park. Residue samples can be processed at a rate of approximately 1,000 pounds per hour. The process involves a series of mechanical operations including shredding, screening, grinding, and magnetic separation. The products are a metallic iron concentrate, a clean non-ferrous metal composite, clean fine glass fractions, and a fine carbonaceous ash tailing. Processes of this type hold significant potential for resource recovery and reuse and should be demonstrated as full scale operations.

Long-term solutions must rely on recycling; immediate improvements can be made in such subsystems as collection, transportation, processing (including separation and incineration), and salvage or disposal. The hearing record of our Public Works Committee reflects a significant potential. Solid Wastes management must be approached systematically while increasing the options available to local and regional governments in planning, designing, and operating solid waste management systems.

The Resource Recovery Act of 1970, reported by the Committee on Public Works, provides a mechanism for the expeditious development of these options. The bill represents extensive deliberations by the members of the Subcommittee on Air and Water Pollution chaired by Senator Edmund S. Muskie and by the full Committee on Public Works. The bill reflects our understanding of the solid waste management problem facing us today, and in the future. I am pleased to have had an opportunity to contribute to its formulation.

Mr. COOPER. Mr. President, the Resource Recovery Act of 1970, S. 2005, which extends for 4 years and amends the Solid Waste Disposal Act of 1965, represents a significant step in the continuing effort to improve the quality of our environment. I am glad to support the bill, and urge its adoption by the Senate.

The Subcommittee on Air and Water Pollution of the Public Works Committee, on which I serve, became aware very early in its consideration of air and water pollution problems that both were closely related to the problems of solid waste disposal. For example, open dump burning and inade-

quate incineration increase air pollution. Similarly, the filling of wetlands and dumping of solid waste in open water causes water pollution. Moreover, it has become increasingly clear that the concept of waste is environmentally unsound. We recognize now that wastes might better be considered as resources, diffuse and diverse though they may be—resources for which recovery techniques must be developed so that they may be returned to the flow of materials.

Automobile hulks, one-way glass bottles, aluminum cans, paper, and discarded packaging—all have received much attention, by the public and during the hearings of the committee. The quantities of material that we are wasting, literally, is a concern not only in terms of air, water and land pollution, and degradation of the environment, but also in terms of resource depletion. When we consider also our growing population and capacity for consumption, it becomes clear that our policy for the future must be to move from disposal of waste to the recovery and re-cycling of materials and energy. The Resource Recovery Act of 1970 has as its objective the establishment procedures which will encourage such a shift from disposal to recovery, necessary to an environmentally sound society.

In extending the research section, section 204 of the Solid Waste Disposal Act, S. 2005 gives new emphasis to the development of resource recovery techniques. Much work has already been done, and we hope that with the funds and authority provided by this act fully integrated recovery systems will be developed. Section 204 is provided with a specific authorization for appropriations of \$31.5 million this fiscal year, and a total of \$119 million during the following 3 fiscal years.

In a new section 208, specifically designed to speed the development of and put into operation new resource recovery systems, the committee bill provides a demonstration program to be carried out through grants to State, interstate, municipal or intermunicipal agencies for up to 75 percent of the design, construction, and first-year operation cost of integrated recovery systems. It authorizes \$20 million for such grants during this fiscal year, increasing to \$55 million by fiscal 1974.

In addition to these two major sections, the measure we have recommended to the Senate addresses several other problems of waste materials management and recovery. It would continue, as section 207, the authorization of planning grants to State, interstate, municipal, and intermunicipal agencies increasing the Federal share from a 50 percent to 66⅔ percent, or to 75 percent in the case of interstate and intermunicipal grants.

The committee had before it, in S. 2005 as originally introduced, a full construction grant program for solid waste treatment and disposal. The administration testified in opposition to the construction grant provision, giving two princi-



pal reasons, both of which were recognized by the committee. First, a construction grant program at this time could result in investment in inadequate or outmoded systems, particularly in view of the fact that this act intends to redirect efforts in materials use management from disposal to recovery. Second, authorization of a massive Federal construction grant program would be inappropriate at this time of fiscal constraint.

Following generally the pattern of air and water pollution legislation, the committee bill, while recognizing fundamental differences between those programs and the problems of materials management, has proposed in section 209 the development of guidelines for solid waste recovery, collection, separation, and disposal systems. We believe the application of Federal research and experience in establishing such guidelines will help to develop better management systems in communities and States, and to assure that their systems meet public health and environmental requirements.

The bill, in new section 212 of the act, requires a study of the need for establishment of a national system for the disposal of hazardous wastes. A report is to be made to the Congress within 2 years. We would hope that the study may show how radioactive, biological, and highly toxic chemical wastes can be handled with minimum environmental damage and maximum protection of public health and safety.

The committee adopted an amendment offered by Senator JAVITS and others, providing training grant assistance to State and municipal agencies, educational institutions, and other private organizations to meet the growing manpower demands in the field of materials management and recovery. The provision, which will become section 210 of the act, is similar to that offered by Senator SCORR and adopted earlier this year as part of the Water Quality Improvement Act of 1970.

Based again on the experience gained in the air and water pollution control areas, the subcommittee concluded that the activities of the Federal Government often contribute to solid waste problems. Consistent with the air and water legislation and the President's executive order in March, new section 211 requires Federal agencies to comply with the guidelines to be developed under section 209. This mandate is applied also to activities for which the Federal Government issues any license or permit for the disposal of solid waste, as well as to activities conducted on Federal property under contract or lease to private organizations.

Title II of the bill incorporates an amendment, introduced last year by Senator BOGGS, to establish a Commission on National Materials Policy. He had earlier asked the Library of Congress to examine materials policy as it relates to solid waste disposal and environmental quality. Senator BOGGS' request was met by an ad hoc committee in which the Library of Congress joined with the National Academy of Sciences, and which issued two reports, both of which have been printed as documents of the Senate Committee on Public Works. The principal

recommendation was that a Commission on National Materials Policy be established to carry forward the work begun earlier by the Paley Commission during the Eisenhower administration. The committee received favorable testimony on this proposal, and we look forward to the results of the study of the Commission and its recommendations.

Mr. President, the Committee on Public Works has been engaged for a number of years in the effort to control the wasteful and discarded by-products of our industrial, largely urban, consuming society—which have been too long ignored and which are now the subject of widespread interest and intense concern. The committee is continuing its intensive work in the field, and will soon report to the Senate major proposals in the areas of air pollution, water pollution, and other environmental concerns. Our interest in improving the quality of life is constantly before us also in our consideration of highway, economic development, water resource, and nearly all other legislation that comes before the committee. We work together on these matters. As I have often done before, I call attention to the devotion of the chairman of the full committee, Senator RANDOLPH, and to the leadership and informed labor of the subcommittee chairman, Senator MUSKIE, in this important and challenging field. The ranking minority member of the Air and Water Pollution Subcommittee, Senator BOGGS, who gives this work such faithful attention, continues to contribute to every measure developed by the subcommittee, as does Senator BAKER in the most creative way. I can think of no member of the committee who has not had a part in this work, and we hope it will be productive and help meet the pressing problems of our time.

The bill before the Senate, the Resources Recovery Act of 1970, is important legislation. I strongly endorse it. It proposes to improve significantly the means available to address the problems of materials use, recovery and disposal. I urge its adoption by the Senate.

Mr. BOGGS. Mr. President, I wish to express my full support for S. 2005. The distinguished chairman of the Subcommittee on Air and Water Pollution (Mr. MUSKIE), the chairman of the Committee on Public Works (Mr. RANDOLPH), and the ranking Republican member of the committee (Mr. COOPER) have stated clearly the great need for this legislation. I associate myself with their views.

This legislation accelerates our national effort to recycle wastes—to utilize our dumps and our garbage cans productively, so that we can reuse our material wealth, not discard it. The finite supply of materials necessitates that the United States move aggressively to increase the reuse of our wastes. Recycling will lessen the pollution of the environment and help to sustain our economic growth.

President Nixon, in his environmental message earlier this year, made this observation:

As we look toward the long-range future—to 1980, 2000 and beyond—recycling of materials will become increasingly necessary

not only for waste disposal but also to conserve resources.

The President's words are ones that chart a wise course for the future.

Several sections of this legislation that will prove effective as stimulants to the recycling of wastes. Section 207, dealing with planning grants, will encourage the States and communities to look to recycling. Many States have already received grants to make general planning surveys for that State. Planning should also be encouraged on a local and regional basis, whether intrastate or interstate. This legislation gives that encouragement.

It should be noted, Mr. President, that my own State of Delaware has moved aggressively toward recycling. Governor Peterson recently signed legislation that will lead to the construction of a plant that will daily recover from 500 tons of solid wastes and 70 tons of sewage sludge reusable steel, copper, chemicals, and other materials and convert the residue into productive compost. That tonnage represents about half the wastes generated daily in our State's most populated county, New Castle County. To give my colleagues a further look at this important proposal, I ask unanimous consent that a newspaper article about the plant be printed in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. (See exhibit 1.)

Mr. BOGGS. Mr. President, programs such as the Delaware project would be eligible for support under this bill's demonstration grant proposals of section 208. It authorizes funds for the construction of facilities that will convert solid wastes into reusable material. The legislation authorizes 75-percent grants for such projects as a method for demonstrating their feasibility and economy. Such demonstrations must be encouraged. This legislation gives that encouragement.

Numerous other important proposals are incorporated within this legislation. It authorizes the preparation of solid waste disposal guidelines, on an advisory basis. The legislation, however, requires that Federal facilities comply with these guidelines, a provision that is essential. The Government must set a positive example in solid waste control and pollution abatement.

Training grants will be available under this bill to insure that we have the personnel available to design, operate, and maintain facilities that will process solid wastes. The bill authorizes a study of national disposal sites for hazardous materials, and another study, under title III, of the question of resource recovery and new methods to encourage recycling of materials.

My colleagues on the committee have evaluated in detail these aspects of the legislation. I support their views. Rather than go over these points again, I would like to direct attention of my colleagues to title II, as I submitted the amendment that led to the inclusion of title II. The amendment, No. 153, was offered with the cosponsorship of several of our distinguished colleagues. Mr. BAKER, Mr. BAYH, Mr. COOPER, Mr. EAGLETON, Mr. INOUE, Mr. MONTANA, Mr. MUSKIE, Mr.



PEARSON, Mr. RANDOLPH, and Mr. SPONG.

The title authorizes creation of a seven-member National Commission on Materials Policy to undertake a full study of the materials process: selection, extraction, processing, use, disposal, and reuse.

By mid-1973, the Commission will report to the President and the Congress on its conclusions and recommendations for creation of a national materials policy, as well as proposals for implementing such a policy.

This is a subject of great significance. Materials and the processing of materials are the basic source of the pollution to our environment. If we are to enhance our environment, a policy on the utilization of materials must be considered.

Our concept approved by the committee foresees an examination by the Commission of several key points. One would be an evaluation of current and projected domestic demands for materials. Economic factors affecting materials selection would be an aspect of this study.

The Commission would also study the relationship between demand for materials and questions of population growth, seeking to identify how this relationship affects foreseeable supplies and the enhancement of the environment.

An important area of enquiry would be methods for enhancing the coordination and cooperation among Federal departments and agencies in relation to materials demand, use, and study. This should be a major topic for study, as nearly every agency of Government has a materials-related function, either in research, planning, pollution control, standards, or supply.

Another point should be an examination of the feasibility and desirability of creating—or fostering the creation of—computer inventories of national and international materials supplies and requirements.

The involvement of our subcommittee with this subject dates to 1965, when the first Federal solid waste legislation was adopted. Since that date, the Committee on Public Works has been the recipient of two informative studies on the subject of materials policy. One was titled, "Availability, Utilization, and Salvage of Industrial Materials." The other was called "Toward a National Materials Policy."

This second study, released last year, came to this conclusion:

It is of the utmost importance that, from the initial stages of production of materials through their ultimate use and disposal, we conduct our operations and activities in such a way as to minimize pollution of air and water to avoid despoilation of the environment, both physical and biological.

It was suggested in this study that we can catch a lot of problems of environmental degradation before they occur if our Nation takes a hard look at our materials requirements and use. That is what the Committee on Public Works envisions in supporting the amendment to create a National Commission on Materials Policy. A Commission study and report seeking to identify and analyze the factors affecting the materials flow would include a suggested

path for the United States to follow toward a national policy on materials, and how that policy might be implemented.

The committee also evaluated the question of what type of governmental unit should conduct such a study on the need for a national materials policy. After careful evaluation, we rejected the view that the study should be undertaken by an existing unit of Government. Among their tasks, the members of the Commission will be looking critically at existing organizational arrangements in matters related to materials policy. Therefore, we believe it appropriate that the evaluation and study should not become a function of an existing agency. An independent commission, we found, would be best able to examine effectively the full breadth of materials policy questions, then to chart a policy on materials that would be implemented on a continuing basis by an existing agency of Government.

In addition, an evaluation of materials policy should properly be undertaken by experts from inside and outside the Federal Government. This would guarantee the broadest possible scope and study, which is vital if this study is to prove meaningful.

The Commission would, in effect, serve as the foundation upon which to raise the structure of a coordinated materials policy for our Nation.

The Director of the U.S. Geological Survey recently expressed a sentiment that I believe serves as an excellent summation of the need for a national policy for materials—not just minerals or energy or timber. I would like to share Dr. Pecora's words with my colleagues. He said:

If we must, therefore, take from the earth to provide for ourselves, we must employ value judgment and trade-off concepts in deciding how much to take from our environment, where to take it, and how to leave it in the taking and using.

That is a persuasive argument for title II, as indeed it is for this entire legislation. I urge its adoption by the Senate.

Mr. President, I wish to commend all the members of the committee for their work in connection with this legislation. Also, I wish to thank the members of the committee staff for their efforts over many months during hearings and the markup of this legislation.

#### EXHIBIT 1

[From the Wilmington (Del.) Evening Journal, June 23, 1970]

#### STATE SELECTS HERCULES WASTE RECYCLING DESIGN

Hercules, Inc., will design and probably build and operate a solid-waste recycling plant in New Castle County which, the company claims, will pay for its operation through sale of reclaimed materials.

Gov. Russell W. Peterson announced he had selected Hercules' proposal as he signed House Bill 822 yesterday appropriating \$1 million for design and engineering of the plant.

The plant, billed as the first in the world to reclaim all waste materials fed into it, would handle 500 tons of domestic and industrial waste and 70 tons of wet sewage sludge a day, or nearly half the solid waste generated in New Castle County.

The next step will be contract negotiations between Hercules and the state to iron out

details concerning what exactly the state wants from Hercules in the way of design work. A Hercules official said these negotiations would probably be completed in from three to six weeks.

Construction and operation of the plant would require more negotiations—as well as more money. These negotiations would involve New Castle County government and, if hoped-for federal funds are available, the federal government.

Cost of the plant from initial design to start of operations would be about \$10 million, according to John N. Sherman, director of advanced programs for Hercules' chemical propulsion division, which submitted the proposal.

Design of the plant allows for eventual doubling of capacity through expansion. After an initial shakedown phase, money realized from the sale of recycled waste products would pay the operating expenses of the plant, according to the Hercules proposal.

Members of the Governor's Committee on Solid Waste said that similar plants may be built in the Dover and Georgetown areas at a later date.

A bill to provide federal aid for pilot waste recycling projects is now being prepared by the U.S. Senate Committee on Public Works, of which Sen. J. Caleb Boggs, R-Del., is the ranking minority member.

The committee hopes to have the bill on the Senate floor for action next month. Delaware hopes to get some of that money to help finance the plant.

State Rep. Robert J. Berndt, R-Hillcrest, who sponsored the bill to fund design work and chaired the governor's committee, said a site for the plant must be chosen soon because Hercules designs will depend on the nature of the site.

The Hercules proposal included a completion schedule for the plant of 22 months from the date of site selection, barring unforeseen obstacles and assuming full financing of the project.

Committee members present when Peterson signed H.B. 822 were Berndt, George Dutcher, New Castle County public works director; Richard Weldon of Bear; Arthur W. Dobberstein of Dover; State Sen. J. Donald Isaacs, R-Townsend; and Rep. R. Glen Mears Sr., D-Seaford.

Berndt said the selection narrowed to Hercules from nine firms which filed proposals. Some withdrew their plans, he said.

Berndt said Hercules was chosen because "They have the talent to do it; they're way out in front of everybody else." He said the firm also has markets for the byproducts.

The proposed plant, designed to be operated by about 50 employees, is to have three major elements.

The first is a digester system for converting organic waste materials to a high quality humus product free from disease-producing organisms. A similar plant in San Juan, Puerto Rico, is currently processing 300 tons a day.

The second is the application of pyrolysis techniques—subjecting organic materials in a contained-pressure vessel to high temperatures—for the controlled decomposition of organic solid wastes such as rubber and plastics.

The third is a residue separation system for the inorganic residue separated from the digester discharge. The separation of metals, glass and grit will be accomplished through a series of screeners, gravity tables and other equipment.

Hercules adapted the systems design knowledge of its chemical propulsion division to come up with its plan. Parts of the system designed by Hercules were the result of Hercules research, while other parts are patented products of other companies.

Mr. DOLE. Mr. President, I rise in support of S. 2005, the Resource Recovery



Act of 1970. In his message on the environment, President Nixon stated:

If we are ever truly to gain control of the problem (solid wastes) our goal must be . . . to reduce the volume of wastes and the difficulty of their disposal, and to encourage their constructive re-use.

S. 2005, a product of the joint efforts of the administration and the Air and Water Pollution Subcommittee of the Senate Public Works Committee, was written to achieve that goal. This legislation will effectively improve our national effort to reduce land pollution by recovering the enormous quantity of trash that is littering the landscape and straining the facilities of municipal governments.

There is one section of the bill that is particularly significant. That is section 207, which provides planning grants to governmental agencies at the State, local, and regional levels. Existing planning grants, on a 50-50 matching basis, provides States with financial assistance for surveys of local practices and problems, as well as funds for developing programs to solve solid waste management problems.

The new language approved by the committee would increase the Federal share of planning costs to 66⅔ percent for a State or a single municipality, and provide 75 percent support when two or more jurisdictions join to attack their mutual solid waste problems.

Economies can be achieved by increasing the size of resource recovery programs. Thus, a multiple-jurisdiction incentive should encourage communities to join with neighboring committees to meet the problem on a regional basis, and thus over the long run reduce costs.

The grants, I might add, would be available for any of four activities. One involves surveys of solid waste management practices and programs in an area, similar to existing law. A second authorizes grants for developing and revising plans for recycling and recovery of wastes. This emphasis is new and essential. The third provision would help to finance the development of proposals for resource recovery systems. The fourth area for which grants would be made available to State and local jurisdictions would be for planning programs for the removal and processing of abandoned motor vehicle hulks.

Section 207 planning grants for State, local, and regional agencies are of particular importance to Kansas. The 1970 Kansas Legislature passed the "Solid Waste Control Act" which makes it imperative that every city and county in Kansas begin at once to develop a workable plan for the regulation of solid waste collection, storage, transportation, processing, and disposal. Unfortunately, the Kansas Legislature did not provide the funds necessary to assist local government in developing their master plan. Section 207 provides authority for the Congress to appropriate funds which will allow local governments in Kansas and throughout the Nation to develop an organized and comprehensive approach to solid waste management.

I strongly recommend passage of S. 2005.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read:

A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, to establish a National Committee on Materials Policy, and for other purposes.

Mr. BOGGS. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS subsequently said: Mr. President, I call the attention of the Senate to the adoption on the Consent Calendar of the solid waste disposal bill.

I had recently introduced a bill, Mr. President, which I proposed to make an amendment to the solid waste disposal bill, which dealt with the disposal of motor vehicles, and which was considered a rather ingenious plan toward that end. But I have agreed to let the bill go through on the Consent Calendar with a hearing on my plan, and also on another plan of the Senator from Florida (Mr. GURNEY) on the same subject.

But I ask unanimous consent, Mr. President, that a copy of the amendment which I would have proposed had I been aware of the opportunity be made a part of my remarks, and that my remarks appear in connection with the approval of the bill on the Consent Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. The amendment I would have sponsored would have been for myself and Senators CANNON, GOODALL, HATFIELD, MOSS, PELL, PERCY, SAXBE, and TYDINGS. I shall be pressing the measure through the hearing stage.

The amendment is as follows:

On page 31, line 10, add the following new title:

#### "TITLE IV—MOTOR VEHICLE DISPOSAL ACT

"SEC. 401. This title may be cited as the 'Motor Vehicle Disposal Act.'

##### "DISPOSAL FEE REQUIRED

"SEC. 402. (a) Each person within any State who owns a motor vehicle on the effective date of this title shall, within three months after the effective date of this title, pay to the Secretary the motor vehicle disposal fee required by the provisions of this title, and affix to the motor vehicle a plate or other device, designed by the Secretary, stating that the motor vehicle disposal fee has been paid.

"(b) Every motor vehicles manufacturer shall pay for each motor vehicle manufactured by it after the effective date of this title the motor vehicle disposal fee required by the provisions of this title, and shall affix to the motor vehicle a plate or other device, designed by the Secretary, stating that the motor vehicle disposal fee for that vehicle has been paid.

##### "EVIDENCE OF PAYMENT OF DISPOSAL FEE

"SEC. 403. (a) The Secretary shall design

a plate or other device suitable for easy and permanent installation in a conspicuous place on a motor vehicle on which the disposal fee required by this title has been paid.

"(b) The Secretary shall make available places at convenient locations throughout the country in which persons shall pay the disposal fee required under section 402 and receive the plates or other devices evidencing such payments together with instructions for the installation of such plates or other devices.

"(c) The Secretary shall make necessary arrangements with manufacturers required to pay the disposal fee under section 402 to receive the payment of such fees at such times as he determines to be convenient for such manufacturers and to furnish such manufacturers sufficient numbers of plates or other devices evidencing such payment.

##### "AMOUNT OF DISPOSAL FEE AND ESTABLISHMENT OF THE MOTOR VEHICLE DISPOSAL FUND

"SEC. 404. (a) The Secretary shall prescribe the amount of the disposal fee required under this title in an amount not less than \$25 nor more than \$50 per motor vehicle. In determining the amount of the disposal fee the Secretary may establish a schedule of fees after considering the size of the motor vehicle and the cost of removing motor vehicles. Any fee or fee schedule established under this section may not be established by the Secretary without proceedings including notice and an opportunity for a hearing held in accordance with the provisions of subchapter II of chapter 5, title 5, United States Code, and provisions of judicial review in the United States Court of Appeals for the District of Columbia in accordance with the provisions of chapter 7 of such title.

"(b) Any sums appropriated pursuant to section 412 of this title and any disposal fees collected pursuant to this title shall be deposited in a revolving fund which is hereby established in the Treasury of the United States and shall be known as the "Motor Vehicle Disposal Fund". Moneys in the fund shall be available, without fiscal year limitation, to the Secretary to make payments to persons certified to him by licensed motor vehicle disposal concerns in accordance with the provisions of this title. Moneys in the fund not necessary for current operations shall be invested in bonds or other obligations of, or guaranteed by, the United States.

##### "MOTOR VEHICLE DISPOSAL CONCERNS LICENSED

"SEC. 405. (a) After the effective date of this title, any person engaged in the business of processing junked motor vehicles into established grades of scrap for remelting purposes may make application to the Secretary for a license under this section at such time, in such manner, and containing such information as the Secretary shall by regulation reasonably require.

"(b) Licenses issued under this section shall be in such form as the Secretary shall prescribe and shall continue in effect unless revoked pursuant to this title.

"(c) In issuing or refusing to issue any licenses under this section the Secretary shall conduct proceedings in accordance with the provisions of subchapter 2 of chapter 5 of title 5, United States Code. Such proceedings shall be reviewable in the appropriate United States court of appeals in accordance with chapter 7 of such title.

"(d) The Secretary shall issue a license to any applicant if he determines that—

"(1) the applicant is qualified and has the facilities necessary to process junked motor vehicles into established grades of scrap for remelting purposes;

"(2) agrees to certify to the Secretary the names and addresses of persons eligible to receive disposal payments under this title.

"(e) (1) The Secretary is authorized to enter the facility of any person authorized under this title or any person applying for a license under this title and to inspect the



premises and facilities on such premises at reasonable times, within reasonable limits, and in a reasonable manner.

"(2) Every licensee shall establish and maintain such records, make such reports, and provide such information, including technical information, as the Secretary may reasonably require to enable him to carry out the provisions of this title. All information contained in any report received under this section shall be deemed to be confidential information for the purposes of section 1905 of title 18 of the United States Code.

(f) Persons licensed under this section shall receive from the Secretary a fee, in the amount on subject to such terms and conditions as the Secretary may by regulations prescribe, for each car processed, to cover the cost of removal of the plate or device required by this title and the keeping of necessary records as required by this title: *Provided*, That such fee shall be not less than \$1 nor more than \$5 per automobile.

#### "REVOCATION OF LICENSES

"SEC. 406. (a) Any license issued pursuant to this title may be revoked by the Secretary if he determines that (1) the licensee has discontinued the business of disposing of motor vehicles as provided in the license, or (2) the licensee fails or refuses to make the certifications required by this title.

"(b) Before revoking any license pursuant to subsection (a) of this section, the Secretary shall serve upon the licensee an order to show cause why an order of revocation should not be issued. Any such order to show cause shall contain a statement of the basis thereof, and shall call upon such licensee to appear before the Secretary at a time and place stated in the order, but in no event less than thirty days after the date of receipt of such order, and give evidence upon the matter specified therein. The Secretary may in his discretion suspend any license simultaneously with the issuance of an order to show cause, in cases where he finds that the public interest requires such suspension. Such suspension shall continue in effect until the conclusion of any revocation proceeding, including judicial review thereof, unless sooner withdrawn by the Secretary, or dissolved by a court of competent jurisdiction. If, after hearing, default, or waiver thereof by the licensee, the Secretary determines that an order of revocation should issue, he shall issue such order, which shall include a statement of his findings and the grounds and reasons therefor and shall specify the effective date of the order and he shall cause such order to be served on the licensee. In any case, where a hearing is conducted pursuant to the provisions of this section, both the burden of proceeding with the introduction of evidence and the burden of proof shall be on the Secretary. Proceedings under this section shall be independent of, and not in lieu of, any other proceeding under this title or any other provision of law.

#### "MOTOR VEHICLE DISPOSAL PAYMENTS

"SEC. 407. (a) Each person who owns a motor vehicle on which the motor vehicle disposal fee has been paid is entitled to receive a disposal payment in an amount equal to the motor vehicle disposal fee whenever such vehicle is transferred to, and presented for disposal to, a concern licensed under the provisions of this title.

"(b) If an owner, in violation of State law, abandons a motor vehicle on which the motor vehicle disposal fee has been paid, and such vehicle is thereafter presented to a concern licensed under the provisions of this title by a public agency authorized by State or local law to confiscate and dispose of such abandoned vehicle, the public agency so presenting and transferring such abandoned vehicle shall be entitled to receive a disposal payment equal to the motor vehicle disposal fee.

"(c) Whenever a motor vehicle is properly presented to a motor vehicle disposal concern as provided in paragraph (a) or (b) of this

section, such concern shall issue to the person or agency presenting and transferring such vehicle a receipt therefor, on a form prescribed by the Secretary, stating that such vehicle has been properly disposed of under this title and that such person or agency is entitled to receive the disposal payment.

"(d) The Secretary shall redeem, by payment of the disposal payment, under whatever arrangements he deems appropriate, receipts properly issued under paragraph (c) of this section.

#### "UNLAWFUL ACTIVITIES

"SEC. 408. It shall be unlawful for any person—

"(1) to fail or refuse to pay the motor vehicle disposal fee required by section 402 or to fail to affix the evidence of such payment to the motor vehicle in accordance with the provisions of this title;

"(2) to manufacture for sale, offer for sale, introduce or deliver for introduction in interstate commerce any motor vehicle manufactured on or after the effective date of this title without the payment of the disposal fee for such vehicle under section 402 and a plate or other device evidencing such payment being affixed to such vehicle in accordance with the provisions of this title;

"(3) who is licensed under the provisions of this title, to fail or refuse access to or copying of records or fail to make reports or furnish information or fail to permit entry or inspection as required under section 405; or

"(4) to manufacture or furnish to any other person a plate or other device designed by the Secretary for the purposes of this title unless such person is authorized by the Secretary to do so.

"(5) to remove, destroy, or otherwise dispose of the plate or device evidencing payment of the disposal fee provided in section 402, except as authorized by this title or by regulations promulgated by the Secretary pursuant to this title.

#### "PENALTIES

"SEC. 409. (a) Any person who is required to pay the disposal fee pursuant to section 402 of this title and who willfully and knowingly fails to make such payment shall be subject to a penalty of not to exceed \$500 for such violation.

"(b) Any person who violates the provisions of section 403 or paragraph (3), (4), or (5) of section 408, or regulations issued thereunder, shall be subject to a civil penalty not to exceed \$500 for each such offense except that the maximum penalty shall not exceed \$100,000 for any related series of violations committed by the same person.

"(c) Any person who willfully and knowingly makes a false statement of any information required under this title shall be deemed to have violated the provisions of section 1001 of title 18, United States Code.

"(d) Any such civil penalty under this section may be compromised by the Secretary and shall be recoverable in a civil action in any district court in the district in which any such person resides or is doing business.

"(e) In addition to the civil penalties provided hereunder, any person who willfully violates the provisions of paragraphs (4) or (5) of section 408 shall be subject to imprisonment of not more than six months for each such violation.

#### "ADMINISTRATION

"SEC. 410. (a) In order to carry out the objectives of this title, the Secretary is authorized to—

"(1) promulgate such rules and regulations as may be necessary;

"(2) appoint such advisory committees as he may deem advisable;

"(3) to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code;

"(4) use the services, personnel, facilities, and information of any other Federal de-

partment or agency, or any agency of any State, or political subdivision thereof, or any private research agency with the consent of such agencies, with or without reimbursement therefor; and

"(5) manufacture the plates or devices designed by him for the purposes of this title at the expense of the United States.

"(b) Upon request by the Secretary each Federal department and agency is authorized and directed to make its services, personnel, facilities, and information, including suggestions, estimates, and statistics available to the greatest practicable extent to the Secretary in the performance of his functions under this title.

"(c) The Secretary, the Comptroller General of the United States, or any of their duly authorized representatives shall have access, for the purpose of audit and examination, to any books, documents, papers, and records that are pertinent to the payments certified to by any licensee under this Act.

"(d) The Secretary shall have discretion, based on market or other conditions in any locality or area of the country causing an inability or unwillingness of a licensed disposal concern or concerns to accept vehicles for disposal, to license an automobile wrecker or wreckers, including a public agency of a State or political subdivision thereof acting as an automobile wrecker, to accept vehicles for disposal and issue receipts under Section 407, on condition that such wrecker undertakes to deposit such vehicles with an authorized disposal concern within 12 months after the Secretary determines that such market or other local conditions have abated.

"(e) The Secretary shall have discretion, if business practices make it advisable in a particular locality or area of the country, to authorize any person engaged in the business of hauling scrapped motor vehicles, after crushing, to authorized disposal concerns, to issue receipts under Section 407, provided that such persons satisfy the Secretary of their undertaking to deposit such vehicles as required by this Act and applicable regulations issued by the Secretary.

#### "DEFINITIONS

"SEC. 11. As used in this title—

"(1) The term 'person' includes any individual, corporation, company, association, firm, partnership, society, joint stock company, or public agency.

"(2) The term 'motor vehicle' means any vehicle driven or drawn by mechanical power manufactured primarily for use on the public streets, roads, and highways, except any vehicle operated exclusively on a rail or rails. The Secretary may exclude classes of motor vehicles other than passenger automobiles from the definition of motor vehicle for the purposes of this title upon a finding that to do so is in the public interest.

"(3) The term 'manufacturer' means any person engaged in the manufacturing or assembly of motor vehicles including any person importing motor vehicles for resale.

"(4) The term 'State' includes each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Canal Zone, and American Samoa.

"(5) The term 'interstate commerce' means commerce between any place in a State and any place in another State, or between places in the same State through another State.

"(6) The term 'Secretary' means the Secretary of Transportation.

#### "AUTHORIZATION AND APPROPRIATIONS

"SEC. 412. There is hereby authorized to be appropriated to the Secretary to carry out the provisions of this title not to exceed \$500,000 for the fiscal year ending June 30, 1971.

#### NATIONAL MOTOR VEHICLE DISPOSAL COUNCIL

SEC. 413. (a) The Secretary shall establish a National Motor Vehicle Disposal Council which shall consist of seven members, in-



cluding three members who shall be representatives of businesses engaged in processing junked motor vehicles into established grades of scrap for remelting purposes, three members representing the general public, and one member representing automobile wreckers; provided, that the representatives of the general public may include representatives of Federal, State or Municipal agencies working in the fields of environmental protection and control.

(b) The Secretary shall consult with the National Motor Vehicle Disposal Council with respect to all matters subject to regulation which may be promulgated under this title.

(c) Members of the National Motor Vehicle Disposal Council may be compensated at a rate not to exceed \$100 per diem (including travel time) when engaged in the actual duties of the Advisory Council. Such members, while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. Payments under this section shall not render members of the Advisory Council employees or officials of the United States for any purpose.

#### "EFFECTIVE DATE"

"SEC. 414. The provisions of this title shall take effect on September 1, 1971, except that sections 403, 410, 411, 412, and 413 shall become effective on the date of enactment of this title."

### FIRE RESEARCH AND SAFETY ACT AUTHORIZATION

The bill (S. 3766) to authorize appropriations to carry out the Fire Research and Safety Act of 1968 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there are authorized to be appropriated to the Department of Commerce such sums as may be necessary for the fiscal years of 1971 and 1972, but not to exceed a total of \$5,000,000, and such sums as may be necessary for succeeding fiscal years to carry out the purposes of the Fire Research and Safety Act of 1968 (Public Law 90-259; 82 Stat. 34).

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91-1040), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

#### SUMMARY

S. 3766 would authorize to be appropriated to the Department of Commerce such sums as may be necessary for fiscal years 1971 and 1972 (not to exceed a total of \$5 million) and such sums as may be necessary for succeeding fiscal years to carry out the purposes of the Fire Research and Safety Act of 1968. That act authorizes the Secretary of Commerce to conduct directly and through contractor grants a comprehensive fire research and safety program; it also creates a national commission on fire prevention and control to undertake a comprehensive study and investigation to determine practicable and effective measures for reducing the destructive effects of fire throughout the country.

#### BACKGROUND

In 1968 Congress passed a Fire Research and Safety Act which authorized the Secretary of Commerce to provide support for investigations on the incidence of fires; re-

search into the cause of the nature of fires and the development of improved methods and techniques through fire prevention and control; public education on fire hazards; education and training programs for fire service personnel; formal education curriculum and fire safety up to and including graduate levels; fire information reference services; and demonstration projects on fire prevention control and the reduction of personal injury and property damage. To facilitate these activities the Department of Commerce was to establish a Fire Research and Safety Center which could undertake important innovative full-scale research on such things as spread of fire within multistory buildings and provide a central focus for management of the national fire safety program by developing necessary staff competence for both technical support of nonfederal activities and scientific management of grants and contracts.

Title II of the Fire and Research Safety Act of 1968 provides for the establishment of a National Commission on Fire Prevention and Control. This Commission was directed to undertake a comprehensive study and investigation to determine practicable and effective measures for reducing the effects of fires by considering ways in which fires can be more effectively prevented through technological advances, construction techniques, and improved inspection procedures; by analyzing existing programs administered and supported by the departments and agencies of the Federal Government; by evaluating existing fire suppression methods and ways for improving the same, including procedures for recruiting and soliciting the necessary personnel; by evaluating the present and future needs of training and education of fire service personnel; by considering the adequacy of current fire communication techniques and suggesting standardization and improvement of the apparatus and equipment used in controlling fires; by analyzing the administrative problems affecting the efficiency or capabilities of local fire departments or organizations; and by assessing local, State, and Federal responsibilities in the development of practicable and effective solutions for reducing fire losses.

Unfortunately, the Fire Research and Safety Act has not been implemented because of a lack of funds. To date the President has not appointed the members of the Commission, and therefore no action by the Commission has been undertaken. When the Fire Research and Safety Act is funded, the committee is hopeful that the President will appoint the members of the Commission so that their important work can begin.

For 3 years funding of the Fire Research and Safety Act has been unintentionally frustrated. In March 1968 the Fire Research and Safety Act was enacted too late for its funding to be included in the regular appropriation request for 1969. A revised request was submitted in time for consideration by the Senate which recommended an increase of \$500,000 "to finance the Fire Research and Safety Act of 1968." But this increase was not included in the appropriation that was finally approved in conference. Funds to implement the program were again requested in fiscal year 1970. The appropriation that was finally approved provided only \$500,500 for all the bureau programs including the Flammable Fabrics Act program to which the Department of Commerce has assigned first priority.

The committee believes that top priority should be given to the implementation of this act for the following reasons:

(1) Annually there are about 12,000 deaths due to fire compared with about 13,000 murders.

(2) The \$2.5 billion reported property losses from fires is greater than the \$1.5 billion for crime.

(3) The \$3 billion cost of operating police

departments is only 15 percent greater than the cost of operating fire departments.

(4) The fireman's job is as dangerous as the policeman.

(5) The risk of death from fire strikes cruelly at the very young and the very old since children under 3 and men and women over 70 are 3½ times as likely to die in a fire as a person of 20.

(6) The poor are more vulnerable to fire than those of adequate means.

(7) Our black citizens are three to four times more likely to perish in fire than our white citizens.

By any economic or social measure the Fire Research and Safety Act deserves immediate and extensive funding.

S. 3766

The bill which the committee favorably reports authorizes to be appropriated for fiscal years 1971 and 1972 up to \$5 million. The committee is hopeful that there will be full appropriation up to the level of authorization.

In testimony on S. 3766, the committee was informed that the complete program for fire research and safety would cost approximately \$10 million per year. The open-ended authorization contained in S. 3766 for fiscal year after 1972 provides authorization for appropriations at such a level.

#### COSTS

S. 3766 authorizes to be appropriated up to \$5 million beginning June 30, 1970 and ending June 30, 1972. In addition the bill authorizes to be appropriated such sums as are necessary in each succeeding fiscal year.

#### PROGRAM

Mr. HATFIELD. Mr. President, will the majority leader yield to me for a question?

Mr. MANSFIELD. Yes, indeed; I am happy to yield to the distinguished acting minority leader.

Mr. HATFIELD. Will the majority leader kindly indicate what his plan for the program on Monday will be?

Mr. MANSFIELD. The Senate will continue consideration of the unfinished business, the military procurement bill. Hopefully, at least one amendment will be offered today and amendments may be offered on Monday as well. I believe that we have spent enough introductory time on the bill up to the moment and that it is long past time when amendments should have been offered. All Members have had an opportunity to study reports, the hearings, and to go over the bill, and all Members, I am certain, know what they intend to do at this time.

I would hope there would be no jockeying for position in an effort to have one amendment considered before or after a particular amendment. It is my understanding that there is a possibility—but only a possibility—that the ABM amendment may be laid down today and, if not today, very likely on Monday next. Hopefully, when we get started on that amendment, the ice jam will be broken and we will be able to go ahead with the business of the Senate.

In the meantime, may I say to the acting minority leader, conference reports will be in order at all times. The latest information I have is that the independent offices-HUD conference report will come up on Tuesday next, rather than on Monday, as I had anticipated.









# **DIGEST** of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

For actions of August 3, 1970  
91st-2nd; No. 132

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HIGHLIGHTS: House passed bill providing for marketing agreements for Hawaiian papayas.  
Conferees reported and Senate agreed to conference report of postal reorganization bill.

HOUSE

1. BILLS PASSED.

S. 2484, authorizing marketing agreements providing for the advertising of Hawaiian papayas. This bill now goes to the President. pp. H7610-2

HR 13125, after adoption of committee amendments, amending the act relating to the admission of North Dakota, South Dakota, Montana, and Washington to the Union (exchange of lands). pp. H7566-7

S. 3547, after amendment to contain the language of HR 6715, amended, authorizing the construction, operation, and maintenance of the Narrows unit, Missouri River Basin Project, Colorado. pp. H7612-8

2. POSTAL REFORM. Conferees filed their report on H.R. 17070, the postal reorganization bill (H. Rept. 91-1363). pp. H7639-64, H7665

3. FISHERIES. Rep. Hansen, Washington, was appointed to fill a vacancy on the National Fisheries and Aquarium Advisory Board. p. H7563

4. FARM PAYMENTS. Received a petition from Henry Stoner, York, Pa., relative to farm payments; to the Committee on Agriculture. p. H7666

SENATE

5. POSTAL REFORM. Agreed to conference report on H.R. 17070, the Postal Reform bill. pp. S12634-9; S12643.

6. SOLID WASTE DISPOSAL. Reconsidered passage of S. 2005, to provide financial assistance for solid waste disposal; passed H.R. 11833 with an amendment in the nature of a substitute embodying the language of S. 2005. This bill now goes to the House for further action. p. S12623

7. BIOLOGY. Passed with amendment H.J. Res. 589, to support and cooperate fully with the international biological program. pp. S12579-95

8. CONSERVATION; PESTICIDES; POLLUTION. Sen. Nelson submitted for the Record three articles from the Wall Street Journal titled "Conservationists Try To Halt the Slaughter of Mustangs In The West", "Beating the Bans-Hazardous Pesticides Are Continuing In Use Despite Federal Curbs", and "Raising A Stink-Pollution By Pulp Mills". pp. S12599-602

9. POLLUTION. Sen. Nelson discussed the dangerous pollution situation pervading the country over the past two weeks, and called upon the auto industry to stop production of the internal combustion engine voluntarily or be subject to legislation requiring the change. pp. S12613-17



In a summary statement issued July 23, Heard described the President as showing "serious concern . . . openness and a searching interest in what we had to say." Asked in the interview to elaborate on Mr. Nixon's reactions, he simply said, "Time will tell."

Just 12 hours after this interview, however, President Nixon was asked at his Thursday night press conference to comment on Heard's advice that he should pay greater heed to the problems of students and blacks.

Mr. Nixon replied that, among other things, he thought it was "very short-sighted" of university leaders to blame campus unrest primarily on the government.

Heard responded with statements answering both Mr. Nixon and a report that certain top White House aides were unhappy with his advice.

The chancellor said that he and James E. Cheek, president of Howard University, had been asked to advise the President, not the academic community. He was well aware, Heard added, that university authorities could do much more to control unrest themselves.

#### A FEW BRAMBLES

While still declining any remarks aimed directly at Mr. Nixon, Heard in one statement came close to betraying his keen disappointment. "I think that when one accepts an invitation to walk in the political forest," he said, "he must be prepared to be snagged by a few brambles."

It was evident during the interview that the chancellor was concerned lest something he might say about Mr. Nixon, or some disclosure of their private discourse, might threaten a successful outcome of his two-month mission as campus envoy to the White House.

While students and other disaffected Americans often demand swift solutions to national problems, Heard said in the interview, "we conclude from our conversations with students and our observations of students that there is an additional element involved in their definition of responsiveness, which I guess in a way is the extent to which they are taken seriously."

"They like to know why the President cannot follow their views and must follow a different line of policy," he continued. "If it is explained to them, to the extent that the President and other public officials can, where the disagreement lies, what the differences in assumptions and values held are, what the deficiencies of inadequacies are in what they recommend, then the students like everybody else are more willing to accept the decision."

#### IN COMMON WORDS

Heard added that for students to be reassured that their views have been weighed in national policymaking, and for them to appreciate why these views could not be followed, "the interpretations and explanations have to be in a vocabulary—in common words—that they understand."

To recommend such responsiveness, the chancellor said is to ask for more than presidential salesmanship: "I think it's a plea from students for a tougher substantive 'dialogue' in which they can engage with public officials."

Disaffected Americans, he continued, must be made to feel that "indeed they are an important part of the President's concern, that they and their federal government are on the same side, trying to solve the problems that concern them, and that we are working together and making progress together toward the solution of these problems. . . ."

"If the national government is unable to make substantive progress, they can still feel a sense of common purpose if they and their President and other public officials acknowledge their common difficulties, their common frustrations."

#### ASSUMPTION OF HOSTILITY

Heard sees student protest as more than a phase that young people are passing through en route to acquiescent adulthood. "The danger is," he warned, "that significant numbers of people will grow up with an assumption of hostility to their government and a conviction that their government is ineffective. If that occurs, it handicaps the functioning in the future of the most important way people have of working together on matters that they have to work together on—their government."

Heard had noted in one of his memoranda to President Nixon that over 60 percent of students polled in a special survey saw little difference between the Republican and Democratic parties; that few present-day political leaders enjoyed much student support.

Under such conditions, he was asked, could demagogues move in from outside the political mainstream and fill this leadership vacuum?

"First of all," Heard replied, "obviously any disaffected group can be prey to demagogic appeal. On various campuses, in local episodes of disruption, demagogic leadership has of course on occasions been important."

#### WITHIN THE SYSTEM

But the special Louis Harris survey, he said, disclosed that disaffected students at the same time showed "a clear determination to work within the existing political framework at least for the present."

"Now then," the chancellor continued, "if significant numbers of students feel that working within this framework does not produce effective public policy, and they begin to look around for alternatives, they can easily become susceptible to the appeals of demagogic leadership."

I think the real question that is extremely difficult to answer is the extent to which a deep and lasting alternation from our basic governmental institutions will develop . . . I just don't think we know how many people will be lastingly disaffected."

Heard also made the point that demagogues or other anti-establishment leaders could gain a following as well "among those blacks and students."

"That's why it's so damn important for the system to work."

With his reticence to talk about President Nixon, Heard was also discreet on the subject of Vice President Agnew and Attorney General John N. Mitchell—both of whom he talked with during his White House mission.

Of Agnew, he said, "In the two sessions I attended with the Vice President, I found him extremely interested in the attitudes expressed by students and faculty toward his own public statements and toward administration policies. He seemed to enjoy discussion and debate and was an effective conversationalist."

As for the Attorney General, "I found Mr. Mitchell very receptive to open discussion of administration policies and of campus reactions. He seemed to me to encourage the expression of a diversity of viewpoints in his own staff and I felt he was quick to understand the points of view that I expressed to him that are held by students and other people."

He added that Mitchell was a "very complex" person.

#### RESOURCE RECOVERY ACT OF 1970

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate reconsider the vote by which it passed S. 2005, to amend the Solid Waste Disposal Act in order to provide

financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes, which had been reported from the Committee on Public Works, as amended.

This matter has been cleared on the other side of the aisle.

The PRESIDING OFFICER (Mr. JORDAN of North Carolina). Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Committee on Public Works be discharged from further consideration of H.R. 11833.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 11833.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to strike out all after the enacting clause of H.R. 11833 and to insert in lieu thereof the text of S. 2005, as passed by the Senate on Friday, July 31, 1970.

The PRESIDING OFFICER. Without objection it is so ordered.

The question is on agreeing to the amendment in the nature of a substitute.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 11833) was read a third time and was passed.

Mr. BYRD of West Virginia. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. STENNIS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### THE CONFERENCE REPORT ON THE POSTAL REORGANIZATION

Mr. YARBOROUGH. Mr. President, when the conference report on postal reorganization bill, H.R. 17070, comes before the Senate for final action, I shall oppose it. I fully realize that I may be like a voice crying in the wilderness, but I submit that, if Congress approves this bill, the repercussions will be felt by the people of this country for many years to come.

I have served on the Committee on the Post Office and Civil Service longer than



any other Member of this body and I know whereof I speak.

My reasons for opposing this bill are simple.

First. This bill has ridden through Congress on the back of the postal workers' just demands for an increase in pay. Without this vehicle this ill-conceived bill would still be buried in the ash heap of worthless measures where it belongs.

Second. This bill takes away the only voice the people of America have in postal matters by stripping Congress of its power to legislate in this area and giving this power to a few individuals who are responsible only to themselves. Under the amendments adopted in conference the Senate would not even be allowed to confirm these people who will have complete power over the postal organization.

Third. This bill turns the Post Office into an instrument for raising money at the expense of the postal workers and the American people. Once the postal corporation is in full operation, the administration will put into effect its so-called 5-year plan of operation which is designed to make the Post Office a moneymaking organization. This would be accomplished by: (a) reducing postal workers' wages by \$1 billion over a 5-year period; (b) by reducing the number of postal employees by 100,000 over a 5-year period; and (c) eliminating important postal services such as Saturday mail delivery, afternoon business delivery in cities, and window service and closing rural post offices.

Mr. President, this is already happening across the country. The present Postmaster General, although we have given him all the appropriations he has asked for, has been doing this for months. If other Senators have not received complaints, I have.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, continuing with the ways in which this would be accomplished, the next one would be (d) allowing a group of rate commissioners, who will not even be confirmed by the Senate, set rates on mail.

That was surrendered in conference, as Postmaster Blount sat in GERALD FORD's office and issued orders and many conferees on both sides supinely yielded. This means that every time the Government wishes to make up its losses on such financial disasters as the C-5A, it will simply raise the price of stamps.

The administration is not fooling anybody. This has been candidly stated. They admit that they are going to make up the deficits this way. The average American will then be put to the simple choice of paying these new rates out of his already overburdened and overtaxed income or give up communicating with others by mail.

By consolidating mail processing centers, it will therefore, deprive our rural communities of their post offices and postmarks. In my State alone, the towns of Hereford, Tulia, Littlefield, Dumas,

and Plainview, a city with the population of over 25,000 people, are being deprived of their identity by the loss of their postmarks. I think the postal service is important to the people of America, as important as any other branch of Government.

Mr. President, there is a need to improve the postal system. There is a need to raise the pay of postal workers. These two important steps can be accomplished by good management and effective legislation. Instead of facing up to his responsibilities as manager of the Post Office, the Postmaster General has devised a plan to destroy the Post Office. This reminds me of the old saying regarding getting rid of rats by burning down the barn. I cannot be a party to such a barn burning.

Many branches of Government provide free service, such as the Weather Bureau, Agriculture, and others. This bill would take the oldest Department in Government, established by the First Congress, and destroy the public service concept. Yet the Post Office is the only Department in which we are seeking to destroy the public service concept.

Mr. President, before we act on this important matter, let us stop and ask ourselves what we are doing. Are we really accomplishing anything of which we can be proud. The answer is clearly "No." They are taking out the public service concept. Therefore, on behalf of the 750,000 postal workers who require justice, and the millions of Americans who depend on the Post Office, I ask that this conference report be rejected.

This Postal Corporation bill is the Tonkin Gulf Resolution of Domestic Legislation. I understand this matter will be voted on at 3 o'clock. Why so soon? What is going to happen? Many who vote for this bill today will regret it for years to come, as they live with a deteriorating postal service. This bill substitutes a corporation bookkeeping profit oriented system for the public service concept installed by Benjamin Franklin our first Postmaster.

I know of no precedent for this bill. The Constitution provides that Congress shall establish the Post Office and post roads. We abdicate this constitutional responsibility when we turn this function over to a corporation and abdicate our power to confirm those individuals who will make postal policy.

#### ONE INDIVIDUAL'S FIGHT AGAINST DRUG ABUSE

Mr. SPARKMAN. Mr. President, a few days ago there was an interesting article in the news regarding the activities of a young man who, acting as an individual, stirred up the people of his community in action against drug abuse. He was inspired to do this by a story that appeared in the press of a girl far away in another State who died while she was just a young girl as a result of drug abuse.

He started with the intention of doing something in his community.

It is inspiring to read what one individual can do.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### UNKNOWN GIRL'S DEATH LEADS TO ANTI-NARCOTICS WEEK

(By Boone Aiken)

PHENIX CITY.—An unknown teenager who died hundreds of miles from Phenix City while on a drug-induced "trip" is causing the entire town to take a week-long look at the harmful effects of drugs.

The 17-year-old girl was killed when her car, travelling in the wrong direction on a one-way street, collided with a truck.

Investigating officers blamed LSD for the girl's confusion.

The story was reported in a national magazine and read by a young man named Ronnie Johnson, a produce manager for a chain store in this east Alabama town bordering the Georgia line.

For about six weeks, Ronnie, 23 an assistant Boy Scout leader, thought about the story. What if it had happened to someone he knew? Could the young Illinois girl whose name he had already forgotten, have been stopped from the use of the harmful drug?

Bonnie decided to start a one-man campaign to alert the young people of his town to the harmful effects of drugs.

Digging into his savings toward a college education and a legal career, he ordered 600 bright orange posters with "Help prevent narcotics they can turn you on and turn you off" printed in black.

Since he was aiming his campaign primarily at teenagers, he decided to dedicate it to the story of the young girl. Naming her "Fran," he added on the bottom of the poster in a black-bordered square, "Fran born 3-15-52, died 8-23-69."

In the lower left hand corner are the words "Ronnie Johnson, chairman."

He could truthfully have added also vice chairman, secretary, treasurer and committee.

Ronnie distributed the signs all over town and storeowners began placing the posters in windows and prominent places.

Next he visited a wrecked car dealer and not only did the owner agree to lend him a car to be displayed at a traffic intersection, but saw that it was placed there.

He then talked to city and county officials and received their support. Mayor Woodrow Wilson signed a proclamation designating July 27 through Aug. 1 as "Help Prevent Narcotics Week" in Phenix City.

Several even made financial contributions toward the campaign.

A local soft drink bottling firm agreed to donate two billboards. Ronnie placed one at the scene of the wrecked car, the other he used at the Seale intersection on the opposite side of town.

Under the second billboard he put a borrowed tombstone with temporary lettering which read: "Fran born 3-15-52 died 8-23-69." Traffic slowed down as motorists spotted the unusual grave complete with a fresh mound of dirt.

For the special week Ronnie has purchased 2,000 pamphlets on the harmful effects of drugs from the U.S. government printing office. He has received free an additional 200 from the Alabama Department of Public Health.

Plans call for these to be distributed by young girls to shoppers and motorists.

Booths will be set up Saturday at a shopping center not only for the distribution of pamphlets but also for the sale of the well-known book "The Drug Scene" by Dr. Donald B. Louria. These will be sold at cost, Ronnie having paid for the 100 copies himself.

This publication outlines the actions of a person on drugs and contains helpful suggestions on what can be done to help the user of drugs.

Final activity now being planned is for a Saturday night rally where movies on drugs









# **DIGEST** of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

For actions of September 10, 1970  
91st-2nd; No. 157

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HIGHLIGHTS: Rep. Kleppe urged a rational approach to pesticide problem.

HOUSE

1. **BILLS PASSED.** H.R. 9804, with amendment, authorizing the construction of supplemental irrigation facilities for the Yuma Irrigation District, Arizona. This passage was subsequently vacated and S. 2882, a similar Senate-passed bill, was passed in lieu after being amended to contain the language of the House bill as passed. pp. H8536-9; and  
H.R. 16987, authorizing the construction, operation, and maintenance of the Minot extension of the Garrison diversion unit of the Missouri River Basin project, North Dakota, with amendments. This passage was subsequently vacated and S. 2808, a similar Senate-passed bill, was passed in lieu after being amended to contain the language of the just-passed House bill. pp. H8539-42; and  
H.R. 7521, reauthorizing the Riverton extension unit, Missouri River Basin project, to include the entire Riverton Federal reclamation project, with amendments. This passage was subsequently vacated and S. 434, a similar Senate-passed bill was passed in lieu after being amended to contain the language of the House bill as passed. pp. H8542-8; and  
H.R. 10874, with committee amendments, establishing the Gulf Islands National Seashore. pp. H8548-53; and  
H.R. 13001, with committee amendments, amending the act of June 13, 1962, with respect to the Navajo Indian irrigation project. This passage was subsequently vacated and S. 203, a similar Senate-passed bill, was passed in lieu after amendment to contain the language of the House-passed bill. pp. H8553-7; and  
H.R. 9306, establishing the Apostle Islands National Lakeshore. This passage was subsequently vacated and S. 621, a similar Senate-passed bill, was passed in lieu after amendment to contain the language of the just passed House bill. pp. H8557-68
2. **LEGISLATIVE PROGRAM.** Rep. Albert announced that H.R. 13543, establishing a wheat research and promotion program, and H.R. 18686, authorizing the transfer of burley tobacco acreage allotments, will be among bills considered on the Consent Calendar on Monday, Sept. 14. pp. H8568-9
3. **HEALTH BENEFITS.** Agreed to Senate amendments to H.R. 16968, providing an increased Federal contribution to the cost of health insurance of Federal employees and annuitants; with an amendment, and returned the bill to the Senate. pp. H8521-3
4. **SOLID WASTE.** Disagreed to Senate amendments to H.R. 11833, providing financial assistance for the construction of solid waste disposal facilities, and improving research programs pursuant to such act. Conference was requested and conferees appointed. p. H8523



The Clerk read the resolution as follows:

H. RES. 1129

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11913) to amend the Public Health Service Act to provide authorization for grants for communicable disease control. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After the passage of H.R. 11913, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill S. 2264, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 11913 as passed by the House.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio, pending which I yield myself such time as I may consume.

Mr. Speaker, I know of no opposition to this rule and reserve the balance of my time.

The SPEAKER. The gentleman from Ohio is recognized.

(Mr. LATTA asked and was given permission to revise and extend his remarks.)

Mr. LATTA. Mr. Speaker, like the gentleman from Missouri, I know of no opposition to this rule, but I would just like to point out that this bill authorizes a 3-year program to continue the fight against communicable disease in the United States.

Authorizations contained in the bill are as follows:

Fiscal year:	Million
1970 -----	\$20
1971 -----	75
1972 -----	90

Funds appropriated will be used by the Secretary of Health, Education, and Welfare to make grants to the States, and to local authorities with State approval, to assist in financing disease control programs. The diseases to be combated include TB, venereal disease, rubella, measles, polio, diphtheria, tetanus, whooping cough, and RH disease. These are capable of prevention by vaccination. Grant funds are generally used to purchase

vaccines and pay personnel used to staff vaccination programs where they are needed.

The bill tends to reestablish to some degree the old category grants which, in the health field, were generally eliminated by the passage in 1966 of the Public Health Service Act which combined into one program a large number of category grant programs in the field. The theory was that the States themselves were the best judges of what areas needed first priority treatment. It is true that the Secretary of Health, Education, and Welfare in his budget presentation has earmarked specific amounts in a number of areas—but would Congress give him a blank check? Category grants, which can be used for no other purpose, are much more restrictive than an earmarking for budget presentation purposes.

The administration opposes the bill for this reason as evidenced by the letter from the Bureau of the Budget.

Mr. Speaker, I have no further requests for time, and I yield back the remainder of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### EXTENSION OF FINANCING FOR CORPORATION FOR PUBLIC BROADCASTING

Mr. STAGGERS. Mr. Speaker, I call up the bill (H.R. 17982) to amend the Communications Act of 1934 to provide for a 1-year extension of financing for the Corporation for Public Broadcasting, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

H.R. 17982

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Public Broadcasting Financing Act of 1970".

SEC. 2. Subsection (k) of section 396 of the Communications Act of 1934 (47 U.S.C. 396 (k)) is amended to read as follows:

"(k) (1) There are authorized to be appropriated for expenses of the Corporation for the fiscal year ending June 30, 1969, the sum of \$9,000,000, and for the fiscal year ending June 30, 1970, the sum of \$20,000,000, and for the fiscal year ending June 30, 1971, the sum of \$30,000,000.

"(2) In addition to the sums authorized to be appropriated by paragraph (1) of this subsection, there are authorized to be appropriated for payment to the Corporation for the fiscal year ending June 30, 1971, amounts equal to the amount of total grants, donations, bequests, or other contributions (including money and the fair market value of any property) from non-Federal sources received by the Corporation under section 396(g) (2) (A) of this Act, during such fiscal year; except that the amount appropriated pursuant to this paragraph may not exceed \$5,000,000."

Mr. STAGGERS. Mr. Speaker, I move to strike the last word.

Mr. Speaker, H.R. 17982 would provide for a 1-year authorization of appropriations for the Corporation for Public Broadcasting. Under the bill, not more than \$30 million could be appropriated to the Corporation for fiscal year 1971. An additional amount of not more than \$5 million would be authorized to match gifts, grants, and other contributions to the Corporation.

The Corporation for Public Broadcasting is a bipartisan, independent, non-profit corporation which was established under the Public Broadcasting Act of 1967. Its Board of Directors consists of 15 members appointed by the President by and with the advice and consent of the Senate. No more than eight members of the Board may be members of the same political party. The President of the Corporation is John W. Macy, Jr., who many of the Members of the House know personally.

Under its charter, the Corporation has three principal functions—

First, to assist in the development of programs of high quality for presentation over public radio and television stations;

Second, to assist in the establishment and development of a system of interconnection for such stations, and

Third, to assist in the establishment and development of such stations.

To state its purpose in a slightly different way, Mr. Speaker, the Corporation must help in developing high quality program matter to be presented over the 190 or more public TV stations and over 400 public radio stations which cover most of the United States. In addition, the Corporation is charged with assisting in the promotion and development of public broadcasting stations.

Mr. Speaker, to clarify a matter that has been the source of some confusion, let me say that the term "public broadcasting station," refers to radio and television stations which many persons still refer to as educational broadcasting stations. The term "public" is considered to be much more descriptive of their operation than "educational" since almost all such stations present more than instructional programming. In fact, most such stations present a wide variety of high quality programming directed at all age groups.

The Corporation has been fully operational for about a year and a half now and in that time its accomplishments have, I think, been impressive.

It has been instrumental in beginning the development of national television production centers in Boston, Chicago, Los Angeles, Pittsburgh, and San Francisco. Through grants and contracts it has assisted in the development and presentation of particular programs and series of programs. Perhaps the best example of these activities is "Sesame Street," a program developed and produced by the Children's Television Workshop. This series was designed for preschool children of low-income families. It consists of 142 programs which in many areas are shown several times a day. The series had its first run during the 1969-1970 school year and the results have



"(3) Section 9 is amended by adding at the end thereof the following subsection:

"(f) Notwithstanding any other provision of law, there shall be no recovery of any payments of Government contributions under section 4 or 6 of this Act from any person when, in the judgment of the Commission, such person is without fault and recovery would be contrary to equity and good conscience."

"(b) The amendments made by subsection (a) of this section shall become effective on January 1, 1971."

Mr. DULSKI. Mr. Speaker, will the gentleman yield?

Mr. DANIELS of New Jersey. I am very pleased to yield to the distinguished chairman of the House Committee on Post Office and Civil Service, the gentleman from New York (Mr. DULSKI).

Mr. DULSKI. Mr. Speaker, I rise in support of the motion by the gentleman from New Jersey, the chairman of the Subcommittee on Retirement, Insurance, and Health Benefits.

The amendment proposed is identical, with a single change, to the health benefits bill passed by this House July 9, 1970, on a record vote of 284 to 57.

The change to which I refer is the adoption of the Senate provision fixing the Government's contribution to the health benefits premium cost at 40 percent, whereas the House-passed bill provided for a 50-percent Government contribution.

Presently, the Government's contribution is equal to approximately 24 percent of the total premium cost, leaving the employees to bear the excessive burden of paying the other 76 percent.

Mr. Speaker, I strongly believe that the original House version is fully justified and that an equal sharing of premium costs between the Government and its employees would be both fair and consistent with what is being done in modern private enterprise.

However, from a practical standpoint, I feel that a Government contribution rate in excess of 40 percent cannot be finally approved and become law this year.

Accordingly, I strongly recommend adoption by the House of the motion by the gentleman from New Jersey.

Our health benefits bill, H.R. 16968, in this form represents a long step in the right direction—a step that is overdue and will at least partly correct an inequity under which our postal and other Federal employees and retirees have labored for the past decade.

The SPEAKER. The question is on the motion offered by the gentleman from New Jersey (Mr. DANIELS).

The motion was agreed to.

The Senate amendment, as amended, was agreed to.

The SPEAKER. The Clerk will report the amendment of the Senate to the title of the bill.

The Clerk read as follows:

Amend the title so as to read: "An Act to increase the contribution by the Federal Government to the cost of health benefits insurance, and for other purposes."

The amendment to the title was agreed to.

A motion to reconsider was laid on the table.

## FEDERAL RAILROAD SAFETY AND HAZARDOUS MATERIALS CONTROL

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1933) to provide for Federal railroad safety, hazardous materials control, and for other purposes, with the Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia (Mr. STAGGERS)? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, FRIEDEL, DINGELL, SPRINGER, and DEVINE.

## SOLID WASTE DISPOSAL

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia (Mr. STAGGERS)? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, JARMAN, ROGERS of Florida, SPRINGER, and NELSEN.

## PROVIDING FOR CONSIDERATION OF H.R. 17982, CORPORATION FOR PUBLIC BROADCASTING

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1194 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1194

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17982) to amend the Communications Act of 1934 to provide for a one-year extension of financing for the Corporation for Public Broadcasting. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 17982, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill S. 3558, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 17982 as passed by the House.

The SPEAKER. The gentleman from Missouri is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee, pending which I yield myself such time as I may consume.

Mr. Speaker, I know of no controversy on this bill. It is an open rule, providing for 1 hour of general debate. It is a bill that has been before the Congress before. I therefore reserve the balance of my time.

The SPEAKER. The gentleman from Tennessee is recognized.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks.)

Mr. QUILLEN. Mr. Speaker, House Resolution 1194 makes in order for consideration of H.R. 17982 under an open rule with 1 hour of general debate.

The purpose of the bill is to extend for 1 year—through fiscal 1971—the financing provisions of current law with respect to the Corporation of Public Broadcasting.

A permanent system of financing was not proposed when the corporation was created in 1968. Since that time funds for the operations of the corporation have come from two sources: Appropriated funds and private gifts or grants.

The bill authorizes \$30 million for 1971 and also authorizes an additional appropriation of up to \$5 million which could only be used to match gifts, grants, and other private contributions. Thus the corporation's budget for the year could reach \$40 million.

The corporation is particularly active in two fields, program development and interconnection of the independent public television stations. The corporation has assisted in the funding for the development and production of "Sesame Street," the excellent children's program. It is now involved in negotiations with A.T. & T. on a rate structure with respect to use of the company's lines to interconnect participating public television stations into a nationwide hookup for programs of major interest. This network is expected to connect 166 public television stations.

The committee report makes clear that some permanent form of financing for the corporation must be developed soon.

There are no minority views.

I have no further request for time, but I reserve the balance of my time, and urge the adoption of the resolution.

Mr. BOLLING. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## PROVIDING FOR CONSIDERATION OF H.R. 11913, COMMUNICABLE DISEASE CONTROL AMENDMENTS OF 1970

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1129 and ask for its immediate consideration.









# **DIGEST** of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

For actions of September 14, 1970  
91st-2nd; No. 159

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HIGHLIGHTS: House passed wheat research and promotion bill.  
Senate began consideration of farm bill.  
Senate adopted House amendments to bill increasing Government  
contribution to cost of Federal employees health benefits.

### SENATE

1. FARM BILL. Began consideration of HR 18546, the Agricultural Act of 1971;  
Sen. Ellender delivered a prepared statement on the purposes of the bill and  
various senators joined in discussing its provisions. Sen. Mondale discussed  
his Amendment No. 902. Time was allotted for debate and a vote on the  
legislation is expected on Tuesday. pp. S15332-3; S15340-49; S15361-75

2. FEDERAL EMPLOYEE HEALTH BENEFITS. Agreed to House amendments to Senate amendment to HR 16968, to provide that the Federal Government pay 40% of the cost of health insurance for Federal employees; this bill now goes to the President. p. S15251
3. LEGISLATIVE PROGRAM. Senators Scott and Mansfield reacted to the President's message on the legislative performance of the Congress; Mansfield placed in the Record a listing of the bills considered by the Senate. pp. S15270-1; S15304-20
4. GOVERNORS' CONFERENCE. Sen. Muskie submitted for the Record the "Policy Positions of the National Governors' Conference" and stated that they represent a strong consensus of thinking and attitudes among the elected chief executives of the Nation. pp. S15280-91

SOLID WASTE DISPOSAL. Senate appointed conferees. p S15324

HOUSE

5. BILLS PASSED.

Sent to the Senate:

H.R. 13543, with amendment, establishing a wheat research and promotion program, pp. H8632-3;

H.R. 17455, authorizing the Administrator of GSA to enter into contracts for janitorial services, trash removal, and similar services in federally owned and leased properties for periods not to exceed 3 years, p. H8613;

S. 2208, with amendment, authorizing a study of the feasibility and desirability of a national lakeshore on Lake Tahoe, p. H8615;

H.R. 18298, with amendment, to amend the Central Valley reclamation project to include the Black Butte project, p. H8624.

Cleared for the White House:

S. 3838, preventing the unauthorized manufacture and use of the anti-litter symbol "Johnny Horizon", pp. H8612-3;

S.J. Res. 67, granting consent to amendments creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin, pp. H8615-20

6. PRESIDENTIAL MESSAGE. Received "A Call for Cooperation" from the President, urging action on legislative proposals submitted to the Congress by the White House (H. Doc. 91-381). pp. H8602-9
7. LEGISLATION. Received from the Civil Service Commission a draft of proposed legislation to permit immediate retirement of certain Federal employees; to the Committee on Post Office and Civil Service. p. H8690



ly tight, even then, when the dial riggers, ballot stuffers, late counters and recounters are stimulated to play election night poker with the results, their art is balanced by crooks of the other party playing the same game.

It is incredible to me that both the Senator from Nebraska and Theodore White would have put themselves in a position of defending this kind of system.

Furthermore, Mr. White has neglected to point out that the kind of fraud and voting irregularities he so vividly depicts has been occurring in those places that are controlled by one party. And fraud will continue in those places because under the present electoral system there is no incentive for the other party to watch the polls.

Professor Freund has said, in response to the charge that direct popular election would increase the incentive to fraud because in a close election every vote would count, that

If this prognosis were true, it would underscore the virtue of the popular vote. Surely, it is a poor way of dealing with potential fraud to discourage it by detracting from the value of honest votes in the electoral count.

What Freund has argued, and I agree, is that under direct election—precisely because every vote will count—we will have better policing by the parties themselves and possibly even better electoral counting and procedural safeguards. Thus, he contends:

If direct popular election serves as a stimulus to more expeditious and trustworthy procedures for casting and counting ballots and settling contests, it will have produced a welcome by-product in the electoral process.

According to White himself, it should be pointed out:

Over most of the United States votes are cast and counted honestly. No one anymore can steal an election that is not close to begin with, and in the past generation vote fraud has diminished dramatically.

One of the reasons it has "diminished dramatically," it is safe to suggest is that the increase in the total number of votes cast has tended to diminish the impact of fraud and as the two-party system has spread the number of votes cast has risen—and this is precisely what direct election would do.

One final look at White: To say that because a popular vote cast in one State will count the same as a vote cast in another State "The pressure to cheat or call recounts must penetrate everywhere" is a conclusion that does not follow logically from the facts. The fact is that under a nationwide popular vote the extent of the fraud necessary to change an outcome would have to be so massive, cut across so many State lines, permeate normally honest counting units, and require so many crooks, that such a concerted effort to steal an election could not withstand public scrutiny. What White is saying, in effect, is that if we had direct election overnight we would become a nation of ballotstuffers.

As Richard Scammon has said, "Fraud is more tied to the mores of the community" than to any other factor. In conclusion, there is simply no reason to anticipate that there will be an increased

incentive to commit fraud under direct election.

Just this past Friday, President Nixon reiterated his support for direct election in a message to Congress. He sounded a note of urgency as he said:

No one subject more profoundly involves the issue of popular sovereignty than the method of electing the president. For almost two centuries the system of the electoral college has somehow worked, albeit just barely at times, and at other times even doubtfully. Every four years the American democracy places a large, unacceptable, and unnecessary wager that it will work one more time, that somehow an institution that never in any event functioned the way the framers of the constitution anticipated, will somehow confer the presidency on that candidate who obtains the largest number of votes. The electoral college need not do so. Indeed on occasion it has not done so. But far more importantly—whatever the popular vote—it need not confer the presidency on any candidate, if none has a majority of the electoral vote.

Our ability to change this system in time for the 1972 elections is a touchstone of the impulse to reform in America today. It will be the measure of our ability to avert calamity by anticipating it.

As I stated in my October 1969 message, I originally favored other methods of reforming the electoral college system, but the passage by the House of a direct popular election plan indicated that this thoroughly acceptable reform could be achieved, and I accordingly supported it. Unfortunately, the Senate has not completed action. Time is running out. But it is still possible to pass the measure and to amend the Constitution in time for the 1972 elections.

Mr. President, illustrative of the arguments of opponents of direct election was an article by syndicated columnist Kevin Phillips, published in the Washington Post of September 11, 1970. In part he says:

To illustrate the southern and western loss of power, consider that in 1968 (per the 1960 census), Connecticut, Oklahoma, and South Carolina each enjoyed 8 electoral votes, but in terms of popular vote, Connecticut sent 1.26 million to the polls in 1968, Oklahoma 943,000, and South Carolina only 667,000.

It should be apparent to any fair-minded Senator that the argument here is that some States should continue to have disproportionate power in the selection of the President regardless of population. This, Mr. President, is precisely what electoral reform in the form of direct election is all about—to let each vote of each citizen count equally. The President of the United States is the President of the people, not of the States, and each of these people should be allowed to participate in his election under a system of election which guarantees equal weight to each vote.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 11, 1970]

#### ELECTORAL COLLEGE POLITICS

(By Kevin P. Phillips)

The Senate has begun debate on an amendment to the U.S. Constitution that would abolish the Electoral College method of choosing a President in favor of direct, nationwide popular election.

Two-thirds support will be necessary to push this change through the Senate, and

a close fight is expected. The balance of power is generally thought to rest with an undecided bloc of Farm Belt Republicans (Dole, Pearson, Young, and Miller), small-state Northeastern Republicans (Prouty, Cotton, Boggs, and Williams), Southern Democrats (Spong, Byrd, Fulbright, Hollings and Long) and Rocky Mountain Democrats (Cannon, McGee, Moss, and Anderson).

Such indecision is surprising because the amendment in question, pushed by the Senate's leading liberals, would operate to reduce the national political muscle of the more conservative South, Farm Belt, Rocky Mountains, and other lightly populated states. The detriment to these areas can be measured in three ways: (1) diminished local power in President elections; (2) reduced representation and influence in both parties; and (3) decreased local orientation of national party platforms and administration.

To illustrate the Southern and Western loss of power, consider that in 1968 (per the 1960 census), Connecticut, Oklahoma, and South Carolina each enjoyed 8 electoral votes, but in terms of popular vote, Connecticut sent 1.26 million to the polls in 1968, Oklahoma 943,000, and South Carolina only 667,000.

Secondly, the change to direct election would greatly affect the regional distribution of power within the two parties, especially at presidential conventions.

Delegates are now apportioned to states on the basis of Electoral College strength, with bonuses for partisan performance. Abolition of the Electoral College would presumably shift delegate apportionment to a system based either on total vote cast in the prior election or total vote cast for the party's nominee.

In the Democratic Party, such a change, which may come regardless as "reform," would greatly weaken moderate-to-conservative influence. The South, Plains, and Rocky Mountains had 30 percent of the 1968 delegates, but cast only 20 per cent of Humphrey's vote, whereas the liberal big-city states of Massachusetts, New York, Pennsylvania, Michigan, California, and Ohio had only 28 per cent of the delegates but cast 43 per cent of Humphrey's November ballots.

A delegate reapportionment of this magnitude would put the Democratic Party in the hands of left-liberals whose stance would injure party candidates in the South, Border, Plains, and Rocky Mountains. (Direct election would also promote this liberal bias by dispelling Democratic electoral vote concern with eking out three-way pluralities in Texas, say, or Missouri or Georgia.)

If electoral reform shifts the Democrats to the left, pushing conservatives and Wallaceites into the GOP, the Republicans would probably remain conservative-oriented. However, if Electoral College abandonment were to cause GOP delegates to be apportioned by votes cast for the last party Presidential candidate, this would sharply reduce the convention power of the low turnout and now bonus-weighted South, Plains, and Rocky Mountains.

Under present ideological circumstances, now that American politics is no longer divided by the Civil War, the Electoral College favors a Republican coalition based in the South, Midwest, West, and small states. GOP Senators from these areas would be foolish to abandon a system that has a built-in bias toward such a coalition in favor of one which, at best, sacrifices these regional advantages.

For these reasons, Southern, Farm Belt, Rocky Mountain, and other small states have good reason to oppose abolition of the Electoral College, and if such a constitutional amendment passes the Senate, it will probably not be ratified by the states.

Mr. THURMOND. Mr. President, I suggest the absence of a quorum.



The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR TRANSACTION OF FURTHER ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside to permit further transaction of routine morning business, with statements limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RESOURCE RECOVERY ACT OF 1970

Mr. BYRD of West Virginia. Mr. President, at the request of the Senator from West Virginia (Mr. RANDOLPH) I ask the Chair to lay before the Senate a message from the House of Representatives on H.R. 11833.

The PRESIDING OFFICER (Mr. NELSON) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BYRD of West Virginia. I move that the Senate insist upon its amendment and agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair be authorized to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RANDOLPH, Mr. MUSKIE, Mr. EAGLETON, Mr. BOGGS, and Mr. BAKER conferees on the part of the Senate.

#### ORDER FOR ADJOURNMENT TO TOMORROW AT 9:30 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR RECOGNITION OF SENATOR FULBRIGHT TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on tomorrow, after the disposition of the reading of the Journal and following the disposition of any unobjected to items on the legislative calendar, the able Senator from Arkansas (Mr. FULBRIGHT) be recognized for not to exceed 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that following the remarks of the able Senator from Arkansas (Mr. FULBRIGHT) on tomorrow, there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT FROM TUESDAY TO WEDNESDAY, SEPTEMBER 16, 1970, AT 10 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, at the conclusion of business tomorrow, Tuesday, the Senate stand in adjournment until 10 a.m. on Wednesday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT FROM WEDNESDAY TO THURSDAY, SEPTEMBER 17, 1970, AT 10 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that at the conclusion of business on Wednesday next, the Senate stand in adjournment until 10 a.m. on Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT FROM THURSDAY TO FRIDAY, SEPTEMBER 18, 1970, AT 10 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business on Thursday next, it stand in adjournment until 10 o'clock Friday morning next.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDER FOR ADJOURNMENT FROM FRIDAY TO MONDAY, SEPTEMBER 21, 1970, AT 10 A.M.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business on Friday next, it stand in adjournment until the following Monday at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that

the morning business be closed and that the Senate resume the consideration of the unfinished business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### DIRECT POPULAR ELECTION OF THE PRESIDENT AND THE VICE PRESIDENT

The Senate resumed the consideration of the joint resolution (S.J. Res. 1) proposing an amendment to the Constitution of the United States relating to the election of the President and the Vice President.

##### THE TYDINGS-GRIFFIN AMENDMENT

Mr. TYDINGS. Mr. President. I rise in support of Senate Joint Resolution 1, which provides for the direct election of the President. I am asking the Senate today to consider an amendment to the direct election plan which would replace the runoff provisions. Unless we modify Senate Joint Resolution 1 with the pending Tydings-Griffin amendment, I fear that we will be encouraging the growth of one-issue and extremist political parties and perhaps accelerating the fragmentation of our political structure. I also believe that the direct election amendment will not pass the Senate by the necessary two-thirds majority or receive ratification by enough States without this short but important change.

Many supporters as well as critics of Senate Joint Resolution 1 have admitted that the runoff provisions are the weakest and most controversial part of the proposed constitutional amendment. Senator GRIFFIN and I hope to strengthen the amendment by replacing this weak link. If this is done, I think the understandable fears of some of our colleagues will be assuaged enough so that we can have their support.

##### THE ELECTORAL COLLEGE

The electoral college was created as a compromise between those who feared the voice of the people and those who were vigorously pushing for more democratic forms of government in our emerging Nation. It was born at a time when political parties did not exist and were not anticipated. Also the Presidency was envisioned as an office so much weaker than it is at present as to be almost a different conception of an executive branch.

Since that time nearly two centuries ago the Presidency has become the central office in our Nation. The President's direct constituency is the entire population, not merely an aggregation of States. Communication, commerce, military power, and a myriad of other factors have made the Presidency an office of immense power, the responsibility of which now derives directly from the people of the United States.

As the power and the functioning of the Presidency became more national and directly related to our citizenry, democratic institutions permeated our society. The increasing franchise, direct election of Senators, political parties—all of these were dramatic evidence of a change in the democratic expectations of our Nation. Our idea of democratic gov-









# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

For actions of October 7, 1970  
91st-2nd; No. 176

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HIGHLIGHTS: Conferees, in executive session, agreed to file report on the Farm Bill; as approved by the Conferees, present farm programs would be extended three years.

### SENATE

1. MINK FARMERS. Sen. Proxmire declared that Congress must act quickly to provide loans to mink farmers and he placed in the Record his testimony before the Committee on Agriculture and Forestry. p. S17331

2. LANDS. Passed without amendment H.R. 13125, to provide for the exchange of certain lands in N. Dakota, S. Dakota, Montana and Washington. This bill now goes to the President. pp. S17300-01
3. RIVER VALLEY; FEDERAL ASSISTANCE CATALOG. Passed with amendment S. 4090, to preserve and promote the resources of the Connecticut River Valley; and S. 60, to create a catalog of Federal Assistance programs. pp. S17294;98; S17303-05
4. WILDERNESS. Agreed to House amendment and cleared for the President S. 3014, designating as wilderness certain areas in several of the states. pp. S17380-81
5. APPROPRIATIONS. Agreed to conference report on H.R. 17575, fiscal 1971 appropriations for the Departments of State, Justice and Commerce. This bill now goes to the President. pp. S17388-93
6. FISH AND WILDLIFE. Committee on Commerce reported with amendments H.R. 12475, providing funds for fish and wildlife restoration programs (S. Rept. 91-1289). p. S17318
7. WATERSHED PROJECTS. Committee on Public Works approved the following watershed projects:
  - Bahala Creek, Miss.;
  - Clear Creek, Ill.;
  - Crooked Arroyo, Colo.;
  - East Upper Maple River, Mich.;
  - Fish Stream, Maine;
  - McKay-Rock Creek, Oreg.;
  - Newlan Creek, Mont.;
  - Upper Ouachita River, Ark.; and
  - West Branch, Westfield River, Mass

HOUSE

8. FARM BILL. Rep. Sibelius called for new farm legislation by OCT. 14, to avoid \$2 million wheat referendum. p. H9702
9. HIGHWAY SAFETY. Both Houses received the President's Third Annual Report on the Administration of the Highway Safety Act of 1966 and the National Traffic and Motor Vehicle Safety Act (H. Documents No. 91-397 and 91-398).
10. ENVIRONMENT. Received message from the President on the Environmental Protection Agency (H. Doc. No. 91-399). p. H9780
11. SOLID WASTE. House received conference Report on H.R. 11833. H.Rept. 91-1579. p. H9781-6









## RESOURCE RECOVERY ACT OF 1970

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OCTOBER 7, 1970.—Ordered to be printed

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Mr. STAGGERS, from the committee of conference,  
submitted the following

### CONFERENCE REPORT

[To accompany H.R. 11833]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

*That this Act may be cited as the "Resource Recovery Act of 1970".*

### TITLE I—RESOURCE RECOVERY

*SEC. 101. Section 202(b) of the Solid Waste Disposal Act is amended to read as follows:*

*"(b) The purposes of this Act therefore are—*

*"(1) to promote the demonstration, construction, and application of solid waste management and resource recovery systems which preserve and enhance the quality of air, water, and land resources;*

*"(2) to provide technical and financial assistance to States and local governments and interstate agencies in the planning and development of resource recovery and solid waste disposal programs;*

*"(3) to promote a national research and development program for improved management techniques, more effective organizational arrangements, and new and improved methods of collection, separation, recovery, and recycling of solid wastes, and the environmentally safe disposal of nonrecoverable residues;*

“(4) to provide for the promulgation of guidelines for solid waste collection, transport, separation, recovery, and disposal systems; and

“(5) to provide for training grants in occupations involving the design, operation, and maintenance of solid waste disposal systems.”

SEC. 102. Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

“(7) The term ‘municipality’ means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law with responsibility for the planning or administration of solid waste disposal, or an Indian tribe.

“(8) The term ‘intermunicipal agency’ means an agency established by two or more municipalities with responsibility for planning or administration of solid waste disposal.

“(9) The term ‘recovered resources’ means materials or energy recovered from solid wastes.

“(10) The term ‘resource recovery system’ means a solid waste management system which provides for collection, separation, recycling, and recovery of solid wastes, including disposal of nonrecoverable waste residues.”

SEC. 103. (a) Section 204(a) of the Solid Waste Disposal Act is amended to read as follows:

“SEC. 204. (a) The Secretary shall conduct, and encourage, cooperate with, and render financial and other assistance to appropriate public (whether Federal, State, interstate, or local) authorities, agencies, and institutions, private agencies and institutions, and individuals in the conduct of, and promote the coordination of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to—

“(1) any adverse health and welfare effects of the release into the environment of material present in solid waste, and methods to eliminate such effects;

“(2) the operation and financing of solid waste disposal programs;

“(3) the reduction of the amount of such waste and unsalvageable waste materials;

“(4) the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering materials and energy from solid wastes; and

“(5) the identification of solid waste components and potential materials and energy recoverable from such waste components.”

(b) Section 204(d) of the Solid Waste Disposal Act is repealed.

SEC. 104. (a) The Solid Waste Disposal Act is amended by striking out section 206, by redesignating section 205 as 206, and by inserting after section 204 the following new section:

**“SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF  
USEFUL ENERGY AND MATERIALS**

“SEC. 205. (a) The Secretary shall carry out an investigation and study to determine—

“(1) means of recovering materials and energy from solid waste, recommended uses of such materials and energy for national or international welfare, including identification of potential markets for such recovered resources, and the impact of distribution of such resources on existing markets;



“(2) changes in current product characteristics and production and packaging practices which would reduce the amount of solid waste;

“(3) methods of collection, separation, and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse, or disposal of wastes;

“(4) the use of Federal procurement to develop market demand for recovered resources;

“(5) recommended incentives (including Federal grants, loans, and other assistance) and disincentives to accelerate the reclamation or recycling of materials from solid wastes, with special emphasis on motor vehicle hulks;

“(6) the effect of existing public policies, including subsidies and economic incentives and disincentives, percentage depletion allowances, capital gains treatment and other tax incentives and disincentives, upon the recycling and reuse of materials, and the likely effect of the modification or elimination of such incentives and disincentives upon the reuse, recycling, and conservation of such materials; and

“(7) the necessity and method of imposing disposal or other charges on packaging, containers, vehicles, and other manufactured goods, which charges would reflect the cost of final disposal, the value of recoverable components of the item, and any social costs associated with nonrecycling or uncontrolled disposal of such items. The Secretary shall from time to time, but not less frequently than annually, report the results of such investigation and study to the President and the Congress.

“(b) The Secretary is also authorized to carry out demonstration projects to test and demonstrate methods and techniques developed pursuant to subsection (a).

“(c) Section 204 (b) and (c) shall be applicable to investigations, studies, and projects carried out under this section.”

(b) The Solid Waste Disposal Act is amended by redesignating sections 207 through 210 as sections 213 through 216, respectively, and by inserting after section 206 (as so redesignated by subsection (a) of this section) the following new sections:

#### “GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

“SEC. 207. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of not to exceed 66⅔ per centum of the cost in the case of an application with respect to an area including only one municipality, and not to exceed 75 per centum of the cost in any other case, of—

“(1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and

“(2) developing and revising solid waste disposal plans as part of regional environmental protection systems for such areas, providing for recycling or recovery of materials from wastes whenever possible and including planning for the reuse of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites,

“(3) developing proposals for projects to be carried out pursuant to section 208 of this Act, or

“(4) planning programs for the removal and processing of abandoned motor vehicle hulks.

“(b) Grants pursuant to this section may be made upon application therefor which—

“(1) designates or establishes a single agency (which may be an interdepartmental agency) as the sole agency for carrying out the purposes of this section for the area involved;

“(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to area-wide planning for proper and effective solid waste disposal consistent with the protection of the public health and welfare, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal and resource recovery programs;

“(3) sets forth plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

“(4) provides for submission of such reports of the activities of the agency in carrying out the purposes of this section, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary; and

“(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

“(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with and not duplicate other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.

#### “GRANTS FOR RESOURCE RECOVERY SYSTEMS AND IMPROVED SOLID WASTE DISPOSAL FACILITIES

“SEC. 208. (a) The Secretary is authorized to make grants pursuant to this section to any State, municipal, or interstate or intermunicipal agency for the demonstration of resource recovery systems or for the construction of new or improved solid waste disposal facilities.

“(b)(1) Any grant under this section for the demonstration of a resource recovery system may be made only if it (A) is consistent with any plans which meet the requirements of section 207(b)(2) of this Act; (B) is consistent with the guidelines recommended pursuant to section 209 of this Act; (C) is designed to provide areawide resource recovery systems consistent with the purposes of this Act, as determined by the Secretary, pursuant to regulations promulgated under subsection (d) of this section; and (D) provides an equitable system for distributing the costs associated with construction, operation, and maintenance of any resource recovery system among the users of such system.

“(2) The Federal share for any project to which paragraph (1) applies shall not be more than 75 percent.



“(c)(1) A grant under this section for the construction of a new or improved solid waste disposal facility may be made only if—

“(A) a State or interstate plan for solid waste disposal has been adopted which applies to the area involved, and the facility to be constructed (i) is consistent with such plan, (ii) is included in a comprehensive plan for the area involved which is satisfactory to the Secretary for the purposes of this Act, and (iii) is consistent with the guidelines recommended under section 209, and

“(B) the project advances the state of the art by applying new and improved techniques in reducing the environmental impact of solid waste disposal, in achieving recovery of energy or resources, or in recycling useful materials.

“(2) The Federal share for any project to which paragraph (1) applies shall be not more than 50 percent in the case of a project serving an area which includes only one municipality, and not more than 75 percent in any other case.

“(d)(1) The Secretary, within ninety days after the date of enactment of the Resource Recovery Act of 1970, shall promulgate regulations establishing a procedure for awarding grants under this section which—

“(A) provides that projects will be carried out in communities of varying sizes, under such conditions as will assist in solving the community waste problems of urban-industrial centers, metropolitan regions, and rural areas, under representative geographic and environmental conditions; and

“(B) provides deadlines for submission of, and action on, grant requests.

“(2) In taking action on applications for grants under this section, consideration shall be given by the Secretary (A) to the public benefits to be derived by the construction and the propriety of Federal aid in making such grant; (B) to the extent applicable, to the economic and commercial viability of the project (including contractual arrangements with the private sector to market any resources recovered); (C) to the potential of such project for general application to community solid waste disposal problems; and (D) to the use by the applicant of comprehensive regional or metropolitan area planning.

“(e) A grant under this section—

“(1) may be made only in the amount of the Federal share of (A) the estimated total design and construction costs, plus (B) in the case of a grant to which subsection (b)(1) applies, the first-year operation and maintenance costs;

“(2) may not be provided for land acquisition or (except as otherwise provided in paragraph (1)(B)) for operating or maintenance costs;

“(3) may not be made until the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project (subject to paragraph (1)(B)); and

“(4) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

For purposes of paragraph (1), the non-Federal share may be in any form, including, but not limited to, lands or interests therein needed for the project or personal property or services, the value of which shall be determined by the Secretary.

"(f)(1) Not more than 15 percent of the total of funds authorized to be appropriated under section 216(a)(3) for any fiscal year to carry out this section shall be granted under this section for projects in any one State.

"(2) The Secretary shall prescribe by regulation the manner in which this subsection shall apply to a grant under this section for a project in an area which includes all or part of more than one State.

#### "RECOMMENDED GUIDELINES

"SEC. 209. (a) The Secretary shall, in cooperation with appropriate State, Federal, interstate, regional, and local agencies, allowing for public comment by other interested parties, as soon as practicable after the enactment of the Resource Recovery Act of 1970, recommend to appropriate agencies and publish in the Federal Register guidelines for solid waste recovery, collection, separation, and disposal systems (including systems for private use), which shall be consistent with public health and welfare, and air and water quality standards and adaptable to appropriate land-use plans. Such guidelines shall apply to such systems whether on land or water and shall be revised from time to time.

"(b)(1) The Secretary shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act.

"(2) The Secretary shall issue to appropriate Federal, interstate, regional, and local agencies information on technically feasible solid waste collection, separation, disposal, recycling, and recovery methods, including data on the cost of construction, operation, and maintenance of such methods.

#### "GRANTS OR CONTRACTS FOR TRAINING PROJECTS

"SEC. 210. (a) The Secretary is authorized to make grants to, and contracts with, any eligible organization. For purposes of this section the term 'eligible organization' means a State or interstate agency, a municipality, educational institution, and any other organization which is capable of effectively carrying out a project which may be funded by grant under subsection (b) of this section.

"(b)(1) Subject to the provisions of paragraph (2), grants or contracts may be made to pay all or a part of the costs, as may be determined by the Secretary, of any project operated or to be operated by an eligible organization, which is designed—

"(A) to develop, expand, or carry out a program (which may combine training, education, and employment) for training persons for occupations involving the management, supervision, design, operation, or maintenance of solid waste disposal and resource recovery equipment and facilities; or

"(B) to train instructors and supervisory personnel to train or supervise persons in occupations involving the design, operation, and maintenance of solid waste disposal and resource recovery equipment and facilities.

"(2) A grant or contract authorized by paragraph (1) of this subsection may be made only upon application to the Secretary at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it provides for the same procedures and reports (and access to such reports and to other records) as is required by section 207(b) (4) and (5) with respect to applications made under such section.



“(c) *The Secretary shall make a complete investigation and study to determine—*

“(1) *the need for additional trained State and local personnel to carry out plans assisted under this Act and other solid waste and resource recovery programs;*

“(2) *means of using existing training programs to train such personnel; and*

“(3) *the extent and nature of obstacles to employment and occupational advancement in the solid waste disposal and resource recovery field which may limit either available manpower or the advancement of personnel in such field.*

*He shall report the results of such investigation and study, including his recommendations to the President and the Congress not later than one year after enactment of this Act.*

#### “APPLICABILITY OF SOLID WASTE DISPOSAL GUIDELINES TO EXECUTIVE AGENCIES

“SEC. 211. (a)(1) *If—*

“(A) *an Executive agency (as defined in section 105 of title 5, United States Code) has jurisdiction over any real property or facility the operation or administration of which involves such agency in solid waste disposal activities, or*

“(B) *such an agency enters into a contract with any person for the operation by such person of any Federal property or facility, and the performance of such contract involves such person in solid waste disposal activities,*

*then such agency shall insure compliance with the guidelines recommended under section 209 and the purposes of this Act in the operation or administration of such property or facility, or the performance of such contract, as the case may be.*

“(2) *Each Executive agency which conducts any activity—*

“(A) *which generates solid waste, and*

“(B) *which, if conducted by a person other than such agency, would require a permit or license from such agency in order to dispose of such solid waste,*

*shall insure compliance with such guidelines and the purposes of this Act in conducting such activity.*

“(3) *Each Executive agency which permits the use of Federal property for purposes of disposal of solid waste shall insure compliance with such guidelines and the purposes of this Act in the disposal of such waste.*

“(4) *The President shall prescribe regulations to carry out this subsection.*

“(b) *Each Executive agency which issues any license or permit for disposal of solid waste shall, prior to the issuance of such license or permit, consult with the Secretary to insure compliance with guidelines recommended under section 209 and the purposes of this Act.*

#### “NATIONAL DISPOSAL SITES STUDY

“SEC. 212. *The Secretary shall submit to the Congress no later than two years after the date of enactment of the Resource Recovery Act of 1970, a comprehensive report and plan for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes, including radioactive, toxic chemical, biological, and other wastes which*

may endanger public health or welfare. Such report shall include: (1) a list of materials which should be subject to disposal in any such site; (2) current methods of disposal of such materials; (3) recommended methods of reduction, neutralization, recovery, or disposal of such materials; (4) an inventory of possible sites including existing land or water disposal sites operated or licensed by Federal agencies; (5) an estimate of the cost of developing and maintaining sites including consideration of means for distributing the short- and long-term costs of operating such sites among the users thereof; and (6) such other information as may be appropriate."

(c) Section 215 of the Solid Waste Disposal Act (as so redesignated by subsection (b) of this section) is amended by striking out the heading thereof and inserting in lieu thereof "GENERAL PROVISIONS"; by inserting "(a)" before "Payments"; and by adding at the end thereof the following:

"(b) No grant may be made under this Act to any private profitmaking organization."

SEC. 105. Section 216 of the Solid Waste Disposal Act (as so redesignated by section 104 of this Act) is amended to read as follows:

"SEC. 216. (a)(1) There are authorized to be appropriated to the Secretary of Health, Education, and Welfare for carrying out the provisions of this Act (including, but not limited to, section 208), not to exceed \$41,500,000 for the fiscal year ending June 30, 1971.

"(2) There are authorized to be appropriated to the Secretary of Health, Education, and Welfare to carry out the provisions of this Act, other than section 208, not to exceed \$72,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$76,000,000 for the fiscal year ending June 30, 1973.

"(3) There are authorized to be appropriated to the Secretary of Health, Education, and Welfare to carry out section 208 of this Act not to exceed \$80,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$140,000,000 for the fiscal year ending June 30, 1973.

"(b) There are authorized to be appropriated to the Secretary of the Interior to carry out this Act not to exceed \$8,750,000 for the fiscal year ending June 30, 1971, not to exceed \$20,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$22,500,000 for the fiscal year ending June 30, 1973. Prior to expending any funds authorized to be appropriated by this subsection, the Secretary of the Interior shall consult with the Secretary of Health, Education, and Welfare to assure that the expenditure of such funds will be consistent with the purposes of this Act.

"(c) Such portion as the Secretary may determine, but not more than 1 per centum, of any appropriation for grants, contracts, or other payments under any provision of this Act for any fiscal year beginning after June 30, 1970, shall be available for evaluation (directly, or by grants or contracts) of any program authorized by this Act.

"(d) Sums appropriated under this section shall remain available until expended."

## TITLE II—NATIONAL MATERIALS POLICY

SEC. 201. This title may be cited as the "National Materials Policy Act of 1970".

SEC. 202. It is the purpose of this title to enhance environmental quality and conserve materials by developing a national materials policy to utilize present resources and technology more efficiently, to anticipate



the future materials requirements of the Nation and the world, and to make recommendations on the supply, use, recovery, and disposal of materials.

SEC. 203. (a) There is hereby created the National Commission on Materials Policy (hereafter referred to as the "Commission") which shall be composed of seven members chosen from Government service and the private sector for their outstanding qualifications and demonstrated competence with regard to matters related to materials policy, to be appointed by the President with the advice and consent of the Senate, one of whom he shall designate as Chairman.

(b) The members of the Commission shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Commission.

SEC. 204. (a) The Commission shall make a full and complete investigation and study for the purpose of developing a national materials policy which shall include, without being limited to, a determination of—

(1) national and international materials requirements, priorities, and objectives, both current and future, including economic projections;

(2) the relationship of materials policy to (A) national and international population size and (B) the enhancement of environmental quality;

(3) recommended means for the extraction, development, and use of materials which are susceptible to recycling, reuse, or self-destruction, in order to enhance environmental quality and conserve materials;

(4) means of exploiting existing scientific knowledge in the supply, use, recovery, and disposal of materials and encouraging further research and education in this field;

(5) means to enhance coordination and cooperation among Federal departments and agencies in materials usage so that such usage might best serve the national materials policy;

(6) the feasibility and desirability of establishing computer inventories of national and international materials requirements, supplies, and alternatives; and

(7) which Federal agency or agencies shall be assigned continuing responsibility for the implementation of the national materials policy.

(b) In order to carry out the purposes of this title, the Commission is authorized—

(1) to request the cooperation and assistance of such other Federal departments and agencies as may be appropriate;

(2) to appoint and fix the compensation of such staff personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of such title relating to classification and General Schedule pay rates; and

(3) to obtain the services of experts and consultants, in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed \$100 per diem.

(c) *The Commission shall submit to the President and to the Congress a report with respect to its findings and recommendations no later than June 30, 1973, and shall terminate not later than ninety days after submission of such report.*

(d) *Upon request by the Commission, each Federal department and agency is authorized and directed to furnish, to the greatest extent practicable, such information and assistance as the Commission may request.*

*SEC. 205. When used in this title, the term "materials" means natural resources intended to be utilized by industry for the production of goods, with the exclusion of food.*

*SEC. 206. There is hereby authorized to be appropriated the sum of \$2,000,000 to carry out the provisions of this title.*

*And the Senate agree to the same.*

HARLEY O. STAGGERS,  
JOHN JARMAN,  
PAUL G. ROGERS,  
WILLIAM L. SPRINGER,  
ANCHER NELSEN,

*Managers on the Part of the House.*

JENNINGS RANDOLPH,  
EDMUND S. MUSKIE,  
THOMAS F. EAGLETON,  
J. CALEB BOGGS,  
HOWARD H. BAKER, JR.,

*Managers on the Part of the Senate.*



## STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a new text. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment.

Except for minor, technical, or conforming provisions, this statement explains the action of the managers on the part of the House.

### *Section 202 of act (findings and purpose)*

The Senate amendment added new language to describe the purposes of the Solid Waste Disposal Act in order to emphasize recycling, local planning, and training functions. The House bill contained no comparable provision. The conference report incorporates these provisions of the Senate amendment.

### *Section 203 of act (definitions)*

The House bill amended section 203 of the Solid Waste Disposal Act by adding a definition of the term "municipality." The Senate amendment amended this section of the act to eliminate the Department of the Interior's responsibility under existing law for disposal of mineral solid waste and to add to the act definitions of municipality, intermunicipal agency, recovered resources, and resource recovery systems. The Senate definition of municipality included Indian tribes.

The conference report includes the additional definitions, as added by the Senate amendment.

Under the conference agreement the Department of the Interior would retain its responsibilities; however, the Secretary of the Interior is required by new section 216(b) of the act to consult with the Secretary of Health, Education, and Welfare prior to expending any Department of the Interior appropriations under the act.

It should be noted in this context that under Reorganization Plan No. 3 of 1970 the functions of the Secretary of the Interior under the Solid Waste Disposal Act will not be transferred; however, the functions of the Secretary of Health, Education, and Welfare under the act (including any new functions he obtains by reason of the bill) will be transferred under the reorganization plan to the Administrator of the Environmental Protection Agency. The transfer will take effect on the date determined under section 7 of the reorganization plan (in early December 1970).

*Section 204 of act (objectives of studies)*

The House bill amended section 204 of the Solid Waste Disposal Act so as to emphasize (1) reduction of the amount of solid waste, (2) new and improved methods of collecting and disposing of solid waste, and (3) recovery of usable materials or energy from solid waste, as the multiple objectives of studies, research, experiments, training, and demonstrations to be conducted by the Secretary of Health, Education, and Welfare.

The Senate amendment incorporated the same provisions as the House bill and added two additional factors to be considered in the studies, demonstrations, etc.: (1) any adverse health and welfare effects of the release into the environment of material present in solid waste and methods to eliminate such effects; and (2) the identification of solid waste components and potential materials and energy recoverable from such waste components. The Senate amendment also provided a specific authorization of appropriations to carry out section 204.

The conference agreement incorporates all of the Senate amendments to section 204 except the specific authorization of appropriations.

*New section 205 of act (special study and demonstration projects on recovery of useful energy and materials)*

The House bill inserted a new section 205 into the act, which directed the Secretary of Health, Education, and Welfare to carry out an investigation and study of—

- (1) economical means of recovering useful materials from solid waste, and the uses and market impact of, such materials;
- (2) incentive programs for solving the problems of solid waste disposal problems;
- (3) changes in current production and packaging practices; and
- (4) methods of collection and containerization.

The Secretary was directed to report on the study to the President and Congress and was authorized to carry out demonstration projects to test and demonstrate techniques developed as a result of the study.

Under the Senate version of the bill, title III was essentially similar to the section 205 of the act as added by the House bill, with the following exceptions:

- (1) The Senate provision specified several additional factors to be studied (in particular, the use of Federal procurement to develop market demand for recovered resources, economic incentives and disincentives for recycling, and disposal charges).

- (2) The Senate provided for a study to be completed within 2 years.

- (3) No specific authority was provided for demonstration projects to test and demonstrate the techniques developed in the study.

The conference agreement incorporates the provisions of the House bill, and in addition directs the Secretary to conduct studies on the factors specified in paragraph (1), *supra*.

*New section 207 of act (planning grants)*

The House bill added a new section 207 to the Solid Waste Disposal Act (a revision of section 206 of existing law) which authorized planning grants to public agencies and councils of government. The



Federal share was up to 66⅔ percent in the case of a grant for an area including only one municipality and up to 75 percent in any other case. The planning grants were to be available for (1) making surveys of solid waste disposal practices and problems and (2) developing solid waste disposal plans as part of regional environmental protection systems. The House bill also authorized grants to pay up to 50 percent of the cost of overseeing the implementation, enforcement, and modification of such plans.

The Senate amendment added a section 207 to the act which differed from the House provision principally in that no provision was made for Federal assistance for overseeing the implementation, etc., of the plans, and that more emphasis was given in the Senate provision to planning for recycling and resource recovery and for removal of abandoned automobile hulks. The conference agreement contains the substantive provisions of the Senate amendment in these respects.

*New section 208 of act (grants for resource recovery systems and improved solid waste disposal systems)*

Under the House bill, this section provided for grants to public agencies for the construction of projects utilizing new and improved techniques of demonstrated usefulness in reducing the environmental impact of solid waste disposal, promoting the recovery of energy or resources, or the recycling of useful materials.

In the case of grants to a single municipality, the Federal share was limited to 50 percent. In other cases, the Federal share could be 75 percent. In either case, however, grants shall be made only if—

(1) funds could not be obtained from other sources upon equally favorable terms;

(2) the applicant had made satisfactory provision for operation and maintenance of the project; and

(3) the project was consistent with the purposes of the Federal Water Pollution Control Act and the Clean Air Act.

Under the House bill not more than 15 percent of the total of funds appropriated for the purposes of this section in any fiscal year could be granted for projects in any one State, and not more than 10 percent of the allotment to the State for any one project.

The Senate amendment provided for grants to varying sizes of communities to demonstrate resource recovery systems. (Sec. 203(10) of the act, as added by the Senate, defines "resource recovery system" as a solid waste management system which provides for collection, separation, recycling, and recovery of solid wastes, including disposal of nonrecoverable waste residues.) These systems were required to be area-wide, and grants were to be made so that a variety of solid waste problems (including those of smaller towns and rural areas) would be dealt with. A system was required to be consistent with plans developed in accordance with section 207(b)(2) and with the section 209 guidelines. A proposal for a system grant had to provide assurance that an equitable means exists for distributing the costs among the users of the system. The Senate amendment specifically authorized annual appropriations of \$20 million, \$30 million, \$50 million, and \$55 million through fiscal year 1974 for the programs under this section.

The conference substitute combines these provisions of the House and Senate versions. The substitute authorizes the Secretary to make

grants to public agencies for the demonstration of resource recovery systems ("demonstration grants") or for the construction of new or improved solid waste disposal facilities ("construction grants").

A grant may not be made for either kind of project unless the project meets certain planning requirements and is consistent with the section 209 guidelines.

A demonstration grant may be made only if it is designed to provide areawide resource recovery systems consistent with the purposes of the act, and it provides an equitable procedure for allocating the costs of the system among the users. The Federal share of a demonstration grant is 75 percent.

A construction grant may be made only if the project advances the state of the art by applying new and improved techniques in reducing the environmental impact of solid waste disposal, in achieving recovery of energy or resources, or in recycling useful materials. The Federal share of a construction grant is up to 50 percent for a project area which includes only one municipality, and up to 75 percent in any other case.

The Secretary is directed to promulgate regulations relating to the award of grants within 90 days. The regulations would provide among other things that projects would be carried out in communities of varying sizes, under such conditions as will assist in solving the community waste problems of urban-industrial centers, metropolitan regions, and rural areas, under representative geographic and environmental conditions.

In acting on grant applications the Secretary is directed to consider, among other things, the economic and commercial viability of the project, and the potential of such project for general application to community solid waste disposal problems.

Grants under this section are to be made subject to the following limitations:

(1) A grant may be made only in the amount of the Federal share of the estimated total design and construction costs, plus (in the case of a demonstration grant) the first-year operation and maintenance costs. The non-Federal share may be in any form, including lands or interests therein, or personal property or services (to be valued by the Secretary).

(2) A grant may not be provided for land acquisition.

(3) The applicant must make satisfactory provision for operation and maintenance of the project.

Section 216(a)(3) of the act, as added by the conference substitute, authorizes to carry out section 208 the sum of \$80 million for fiscal year 1972, and \$140 million for fiscal year 1973. No amount is specified for fiscal year 1971; however, appropriations authorized by section 216(a)(1) (which are generally available to carry out the act) would be available for section 208 in fiscal year 1971. Not more than 15 percent of the authorization for section 208 for any fiscal year (other than fiscal year 1971) could be granted for projects in any one State.

#### *New section 209 of act (solid waste disposal guidelines)*

Section 209 as added by the House bill directed the Secretary, within 18 months following date of enactment, to recommend to the appropriate agencies standards for solid waste collection and disposal systems (including systems for private use) which are consistent with health, air, and water pollution standards and can be adopted to



applicable land-use plans. Such standards were to be developed in cooperation with appropriate State, interstate, and regional and local agencies. The Secretary was also authorized to recommend model codes to implement this section.

Section 209 as added by the Senate amendment directed the Secretary as soon as practicable after the enactment of the bill to recommend to appropriate agencies guidelines for solid waste recovery, collection, separation, and disposal systems (including systems for private use), which are consistent with public health and welfare, and air and water quality standards and adaptable to appropriate land-use plans. Such guidelines would apply to such systems whether on land or water and would be required to be revised from time to time.

The Secretary was directed to recommend model codes as in the House bill, and in addition to issue technical information.

The conference substitute incorporates the principal provisions of the Senate version of section 209.

*New section 210 of act (training grants)*

The Senate amendment inserted a new section 210 in the act, which authorized the Secretary to make grants for the purposes of providing training in the field of solid waste disposal. The House bill had no comparable provision. The conference substitute incorporates the principal provisions of the Senate amendment in this regard.

The new section 210 authorizes the Secretary to make grants to, and contracts with, eligible organizations. An eligible organization is a public agency, educational institution, and any other organization which is capable of effectively carrying out a project under this section. Grants or contracts may be made to pay all or a part of the costs of any project, operated by an eligible organization, to train persons for occupations involving the management, supervision, design, operation, or maintenance of solid waste disposal and resource recovery equipment and facilities; or to train instructors and supervisory personnel to train or supervise persons in such occupations.

The section contains provisions relating to applications, reports, and records.

In addition the Secretary is directed to make a 1-year study of personnel needs in solid waste and resource recovery programs; of means of using existing training programs to train such personnel; and of obstacles to employment and occupational advancement in the solid waste disposal and resource recovery field.

*New section 211 of act (applicability of section 209 guidelines to Executive agencies)*

The Senate amendment inserted a new section 211 in the act which generally provided that Federal agencies would insure compliance with the section 209 guidelines in carrying out their functions. The House bill contained no comparable provision. The conference substitute incorporates a modification of the Senate provision.

Section 211(a)(1) of the act, as added by the conference substitute, would provide that if an Executive agency has jurisdiction over any real property or facility the operation or administration of which involves such agency in solid waste disposal activities, or if the agency enters into a contract with any person for the operation by such person of any Federal property or facility, the performance of which involves such person in solid waste disposal activities, then the

agency must insure compliance with the section 209 guidelines and the purposes of the act in the operation or administration of such property or facility, or the performance of such contract.

Section 211(a)(2) requires that each Executive agency conducting an activity which generates solid waste, and which, if conducted by a person other than such agency, would require a permit or license from such agency in order to dispose of such solid waste, shall insure compliance with such guidelines and the purposes of the act in conducting such activity.

Paragraph (3) of section 211(a) requires each Executive agency which permits the use of Federal property for purposes of disposal of solid waste to insure compliance with such guidelines and the purposes of this act in the disposal of such waste.

Paragraph (4) of section 211(a) directs the President to prescribe regulations to carry out section 211(a).

Section 211(b) requires each Executive agency which issues any license or permit for disposal of solid waste to consult with the Secretary to insure compliance with the section 209 guidelines and the purposes of the act, prior to the issuance of the license or permit.

*New section 212 of act (national disposal sites study)*

The Senate amendment inserted a new section 212 in the act, which provided for a 2-year national disposal sites study. The Secretary was directed to make a comprehensive report and plan for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes, including radioactive, toxic chemical, biological, and other wastes which may endanger public health or welfare. The report would include (1) a list of materials subject to disposal; (2) current methods of disposal of such materials; (3) recommended methods of disposal of such materials; (4) an inventory of possible sites; and (5) cost estimates.

The House bill had no comparable provision. The House recedes on this provision.

*New section 215(b) of act (grant restrictions)*

The Senate amendment prohibited the Secretary from making grants under the Solid Waste Disposal Act to private profitmaking organizations. The House bill contained no comparable provision. The conference substitute contains this provision (new section 215(b) of the act).

*New section 216 of act (authorization of appropriations)*

The House bill authorized separate appropriations to the Secretary of Health, Education, and Welfare and to the Secretary of the Interior to carry out the act for fiscal years 1971, 1972, and 1973.

The Senate amendment contained specific authorizations to carry out sections 204 and 208 for fiscal years 1971, 1972, 1973, and 1974, and open-ended authorizations for those years to carry out all other provisions of the act. It also authorized specific sums to carry out titles II and III of the bill.

The conference substitute contains (1) specific authorizations of appropriations to the Secretary of Health, Education, and Welfare to carry out the act (including sec. 208) for fiscal year 1971, and separate authorizations to carry out section 208 and the other provisions of the act for fiscal years 1972 and 1973, (2) authorizations of appro-



priations to the Secretary of the Interior to carry out his functions through fiscal year 1973, and (3) an authorization for title III of the bill. The following table compares the appropriations authorized by the House bill, the Senate amendment, and the conference substitute:

## COMPARISON OF AUTHORIZATIONS

[Dollar amounts in millions]

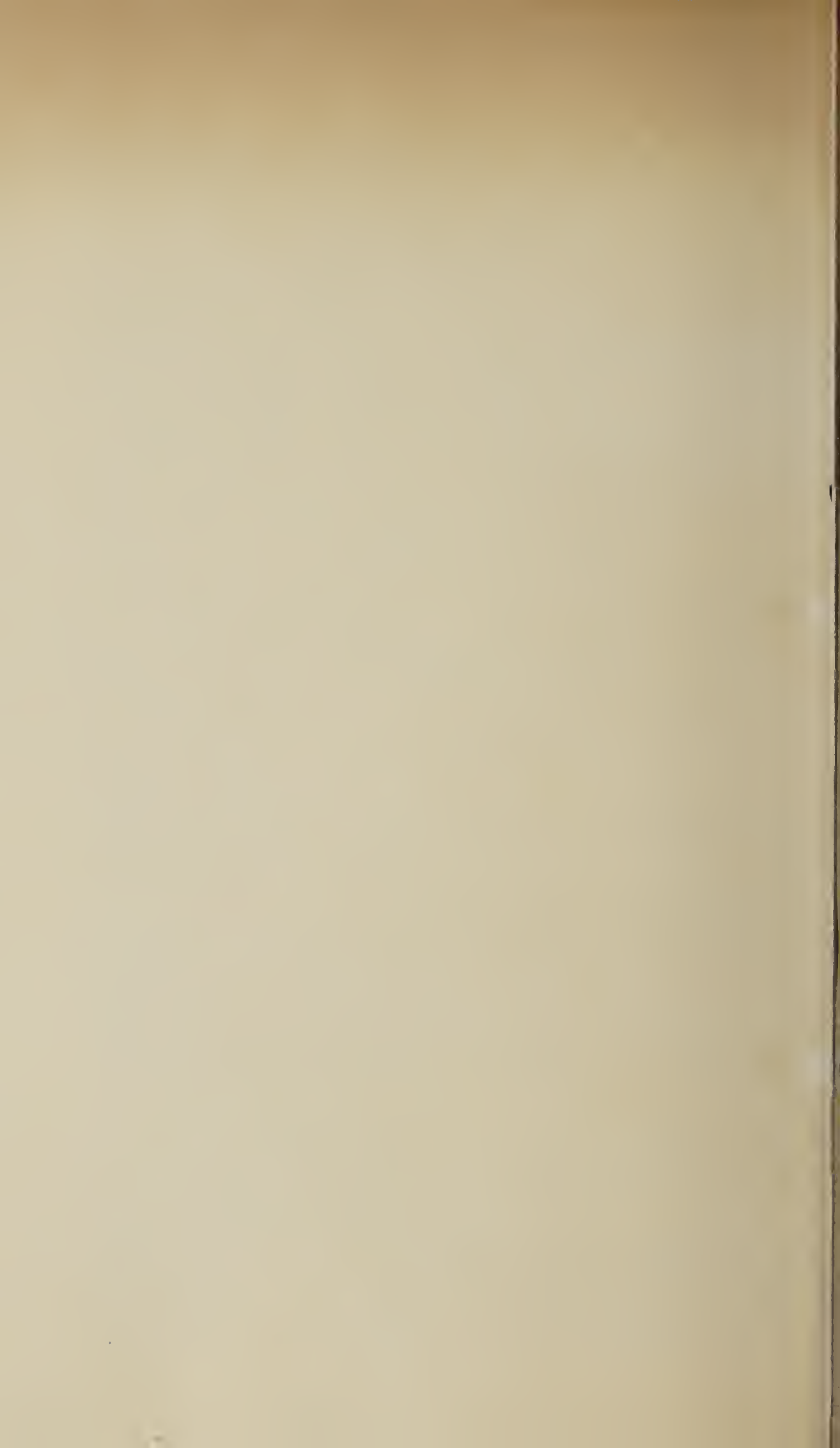
		Fiscal year 1971	Fiscal year 1972	Fiscal year 1973	Fiscal year 1974
House Bill.....	HEW Functions	\$83	\$152	\$216	No Authoriza- tion.
	Interior Functions	\$17.5	\$20	\$22.5	
Senate Amendment....	§ 204 of Act	\$31.5	\$40.5	\$40	\$38.5.
	§ 208 of Act	\$20	\$30	\$50	\$55.
	All other provisions of Act.	No limit	No limit	No limit	No limit.
	Title II of bill	\$2 for duration of Commission.			
	Title III of bill	\$2 for duration of study.			
Conference Substitute..	HEW Functions	\$41.5			No Authoriza- tion.
	§ 208 of Act	(Above amount available both for § 208 and other HEW functions).	\$80	\$140	
	All other HEW functions under Act.		\$72	\$76	
	Interior functions	\$8.75	\$20	\$22.5	
	Title II of bill	\$2 for duration of Commission.			

Both bills contain authority to evaluate programs under this Act. Such evaluation should include examination of individual training grants and contracts to assure that desired results are being achieved.

*Title II of bill (national materials policy)*

Title II of the Senate amendment provided for the establishment of a presidentially appointed National Commission on Materials Policy to make recommendations on the supply, use, recovery, and disposal of materials and to report thereon by June 30, 1973. The House bill had no comparable provision. The House receded with an amendment which requires the Commission to determine which Federal agency would have continuing responsibility in the materials policy area.

HARLEY O. STAGGERS,  
JOHN JARMAN,  
PAUL G. ROGERS,  
WILLIAM L. SPRINGER,  
ANCHER NELSEN,  
*Managers on the Part of the House.*





that. But I would like to suggest to the gentleman from Missouri that we have an election contest on a primary, and it is a matter of the utmost urgency that a hearing be held and a decision be made on it.

I did not realize that I was to do this until the chairman of the subcommittee telephoned and said he was out of town and asked me as the next ranking member to start the proceedings. I think it will be unfair to both the contestant and the contestee if we prolong this. I see no other possibility but to do it while the House sits. The lawyer for the contestant is here and the lawyer for the contestee is here at some expense. I am in a bind on this and I am asking for the permission for this reason.

Mr. HALL. Mr. Speaker, I believe I understand the situation. However, it has been our custom and practice recently when unanimous consent is given, for a variety of reasons, to convene the House early to have the Members pay attention to the business of the House and not grant this extraordinary privilege for committees and subcommittees to meet during the time the House is foregathered.

Mr. HAYS. Mr. Speaker, will the gentleman yield further?

Mr. HALL. I yield to the gentleman.

Mr. HAYS. I would not be asking for this unless there were extraordinary circumstances involved. The courts have bucked this problem back to the Congress, and I think it is unfair to everybody concerned for us to delay trying to arrive at some kind of decision. It may well be that we do not want to do anything. But we ought to let everybody know and I do not think we can do that unless the committee can meet.

Mr. HALL. Of course, we are coming down to the end of the line. There are some of us who think that we should adjourn sine die instead of recessing and coming back for a lame duck session and that requests are going to be more and more numerous even as though the date of the sine die adjournment had been set for the House to consider bills under suspension of the rules and other unusual rules.

There is always a situation of people traveling at great expense and witnesses who have been called before the unanimous consent was given and this is one of the elements of whether we have good or indifferent leadership or not.

Mr. Speaker, insofar as this particular situation is concerned, I am advised by one of the Members himself who said that the Supreme Court of the State of Colorado had referred this back to the Congress, and I shall not object to this but I serve notice that when we are meeting hereafter at an unusual hour contrary to the customs and traditions, I shall object.

Mr. Speaker, I withdraw my reservation of objection.

Mr. BURTON of California. Mr. Speaker, further reserving the right to object, as I understand, from the statement of the gentleman from Ohio (Mr. HAYS), representatives of both of the candidates will be present for the hear-

ings; is that correct—or at the meetings?

Mr. HAYS. It is the intention of the committee, if I may say so, to hear the staff people who went out there on the scene, and to get their opinion about whether there is anything to hold a hearing about.

If they think there is something, then both sides certainly will be invited to appear. Both sides have been notified to stand by in case the committee decides to go on and hear evidence.

Mr. BURTON of California. I am pleased to hear that but not surprised in light of the record of the gentleman from Ohio in this regard, and I withdraw my reservation.

The SPEAKER pro tempore (Mr. HOLIFIELD). Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### GENERAL LEAVE TO EXTEND

Mr. CONYERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed (S. 30), and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

#### CONFERENCE REPORT ON H.R. 11833, RESOURCE RECOVERY ACT OF 1970

Mr. STAGGERS submitted the following conference report and statement on the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 91-1579)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: That this Act may be cited as the "Resource Recovery Act of 1970".

#### TITLE I—RESOURCE RECOVERY

SEC. 101. Section 202(b) of the Solid Waste Disposal Act is amended to read as follows:

"(b) The purposes of this Act therefore are—

"(1) to promote the demonstration, construction, and application of solid waste management and resource recovery systems which preserve and enhance the quality of air, water, and land resources;

"(2) to provide technical and financial assistance to States and local governments and interstate agencies in the planning and development of resource recovery and solid waste disposal programs;

"(3) to promote a national research and development program for improved management techniques, more effective organizational arrangements, and new and improved methods of collection, separation, recovery, and recycling of solid wastes, and the environmentally safe disposal of nonrecoverable residues;

"(4) to provide for the promulgation of guidelines for solid waste collection, transport, separation, recovery, and disposal systems; and

"(5) to provide for training grants in occupations involving the design, operation, and maintenance of solid waste disposal systems."

SEC. 102. Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

"(7) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law with responsibility for the planning or administration of solid waste disposal, or an Indian tribe.

"(8) The term 'intermunicipal agency' means an agency established by two or more municipalities with responsibility for planning or administration of solid waste disposal.

"(9) The term 'recovered resources' means materials or energy recovered from solid wastes.

"(10) The term 'resource recovery system' means a solid waste management system which provides for collection, separation, recycling, and recovery of solid wastes, including disposal of nonrecoverable waste residues."

SEC. 103. (a) Section 204(a) of the Solid Waste Disposal Act is amended to read as follows:

"SEC. 204. (a) The Secretary shall conduct, and encourage, cooperate with, and render financial and other assistance to appropriate public (whether Federal, State, interstate, or local) authorities, agencies, and institutions, private agencies and institutions, and individuals in the conduct of, and promote the coordination of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to—

"(1) any adverse health and welfare effects of the release into the environment of material present in solid waste, and methods to eliminate such effects;

"(2) the operation and financing of solid waste disposal programs;

"(3) the reduction of the amount of such waste and unsalvageable waste materials;

"(4) the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering materials and energy from solid wastes; and

"(5) the identification of solid waste components and potential materials and energy recoverable from such waste components."

(b) Section 204(d) of the Solid Waste Disposal Act is repealed.

SEC. 104. (a) The Solid Waste Disposal Act is amended by striking out section 206, by redesignating section 205 as 206, and by inserting after section 204 the following new section:

#### "SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF USEFUL ENERGY AND MATERIALS

"SEC. 205. (a) The Secretary shall carry out an investigation and study to determine—

"(1) means of recovering materials and energy from solid waste, recommended uses of such materials and energy for national or international welfare, including identification of potential markets for such recovered resources, and the impact of distribution of such resources on existing markets;

"(2) changes in current product characteristics and production and packaging practices which would reduce the amount of solid waste;



"(3) methods of collection, separation, and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse, or disposal of wastes;

"(4) the use of Federal procurement to develop market demand for recovered resources;

"(5) recommended incentives (including Federal grants, loans, and other assistance) and disincentives to accelerate the reclamation or recycling of materials from solid wastes, with special emphasis on motor vehicle hulks;

"(6) the effect of existing public policies, including subsidies and economic incentives and disincentives, percentage depletion allowances, capital gains treatment and other tax incentives and disincentives, upon the recycling and reuse of materials, and the likely effect of the modification or elimination of such incentives and disincentives upon the reuse, recycling, and conservation of such materials; and

"(7) the necessity and method of imposing disposal or other charges on packaging, containers, vehicles, and other manufactured goods, which charges would reflect the cost of final disposal, the value of recoverable components of the item, and any social costs associated with nonrecycling or uncontrolled disposal of such items.

The Secretary shall from time to time, but not less frequently than annually, report the results of such investigation and study to the President and the Congress.

"(b) The Secretary is also authorized to carry out demonstration projects to test and demonstrate methods and techniques developed pursuant to subsection (a).

"(c) Section 204 (b) and (c) shall be applicable to investigations, studies, and projects carried out under this section."

(b) The Solid Waste Disposal Act is amended by redesignating sections 207 through 210 as sections 213 through 216, respectively, and by inserting after section 206 (as so redesignated by subsection (a) of this section) the following new sections:

**"GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING"**

"SEC. 207. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of not to exceed 66 $\frac{2}{3}$  per centum of the cost in the case of an application with respect to an area including only one municipality, and not to exceed 75 per centum of the cost in any other case, of—

"(1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and

"(2) developing and revising solid waste disposal plans as part of regional environmental protection systems for such areas, providing for recycling or recovery of materials from wastes whenever possible and including planning for the reuse of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites.

"(3) developing proposals for projects to be carried out pursuant to section 208 of this Act, or

"(4) planning programs for the removal and processing of abandoned motor vehicle hulks.

"(b) Grants pursuant to this section may be made upon application therefor which—

"(1) designates or establishes a single agency (which may be an interdepartmental agency) as the sole agency for carrying out

the purposes of this section for the area involved;

"(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health and welfare, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal and resource recovery programs;

"(3) sets forth plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

"(4) provides for submission of such reports of the activities of the agency in carrying out the purposes of this section, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary; and

"(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

"(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with and not duplicate other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.

**"GRANTS FOR RESOURCE RECOVERY SYSTEMS AND IMPROVED SOLID WASTE DISPOSAL FACILITIES"**

"SEC. 208. (a) The Secretary is authorized to make grants pursuant to this section to any State, municipal, or interstate or intermunicipal agency for the demonstration of resource recovery systems or for the construction of new or improved solid waste disposal facilities.

"(b) (1) Any grant under this section for the demonstration of a resource recovery system may be made only if it (A) is consistent with any plans which meet the requirements of section 207(b) (2) of this Act; (B) is consistent with the guidelines recommended pursuant to section 209 of this Act; (C) is designed to provide areawide resource recovery systems consistent with the purposes of this Act, as determined by the Secretary, pursuant to regulations promulgated under subsection (d) of this section; and (D) provides an equitable system for distributing the costs associated with construction, operation, and maintenance of any resource recovery system among the users of such system.

"(2) the Federal share for any project to which paragraph (1) applies shall not be more than 75 percent.

"(c) (1) A grant under this section for the construction of a new or improved solid waste disposal facility may be made only if—

"(A) a State or interstate plan for solid waste disposal has been adopted which applies to the area involved, and the facility to be constructed (i) is consistent with such plan, (ii) is included in a comprehensive plan for the area involved which is satisfactory to the Secretary for the purposes of this Act, and (iii) is consistent with the guidelines recommended under section 209, and

"(B) the project advances the state of the art by applying new and improved techniques in reducing the environmental impact of solid waste disposal, in achieving recovery of energy or resources, or in recycling useful materials.

"(2) The Federal share for any project to which paragraph (1) applies shall be not more than 50 percent in the case of a proj-

ect serving an area which includes only one municipality, and not more than 75 percent in any other case.

"(d) (1) The Secretary, within ninety days after the date of enactment of the Resource Recovery Act of 1970, shall promulgate regulations establishing a procedure for awarding grants under this section which—

"(A) provides that projects will be carried out in communities of varying sizes, under such conditions as will assist in solving the community waste problems of urban-industrial centers, metropolitan regions, and rural areas, under representative geographic and environmental conditions; and

"(B) provides deadlines for submission of, and action on, grant requests.

"(2) In taking action on applications for grants under this section, consideration shall be given by the Secretary (A) to the public benefits to be derived by the construction and the propriety of Federal aid in making such grant; (B) to the extent applicable, to the economic and commercial viability of the project (including contractual arrangements with the private sector to market any resources recovered); (C) to the potential of such project for general application to community solid waste disposal problems; and (D) to the use by the applicant of comprehensive regional or metropolitan area planning.

"(e) A grant under this section—

"(1) may be made only in the amount of the Federal share of (A) the estimated total design and construction costs, plus (B) in the case of a grant to which subsection (b) (1) applies, the first-year operation and maintenance costs;

"(2) may not be provided for land acquisition or (except as otherwise provided in paragraph (1) (B)) for operating or maintenance costs;

"(3) may not be made until the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project (subject to paragraph (1) (B)); and

"(4) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

For purposes of paragraph (1), the non-Federal share may be in any form, including, but not limited to, lands or interests therein needed for the project or personal property or services, the value of which shall be determined by the Secretary.

"(f) (1) Not more than 15 percent of the total of funds authorized to be appropriated under section 216(a) (3) for any fiscal year to carry out this section shall be granted under this section for projects in any one State.

"(2) The Secretary shall prescribe by regulation the manner in which this subsection shall apply to a grant under this section for a project in an area which includes all or part of more than one State.

**"RECOMMENDED GUIDELINES"**

"SEC. 209. (a) The Secretary shall, in cooperation with appropriate State, Federal, interstate, regional, and local agencies, allowing for public comment by other interested parties, as soon as practicable after the enactment of the Resource Recovery Act of 1970, recommend to appropriate agencies and publish in the Federal Register guidelines for solid waste recovery, collection, separation, and disposal systems (including systems for private use), which shall be consistent with public health and welfare, and air and water quality standards and adaptable to appropriate land-use plans. Such guidelines shall apply to such systems whether on land or water and shall be revised from time to time.

"(b) (1) The Secretary shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to



implement this section and the purposes of this Act.

"(2) The Secretary shall issue to appropriate Federal, interstate, regional, and local agencies information on technically feasible solid waste collection, separation, disposal, recycling, and recovery methods, including data on the cost of construction, operation, and maintenance of such methods.

#### "GRANTS OR CONTRACTS FOR TRAINING PROJECTS

"SEC. 210. (a) The Secretary is authorized to make grants to, and contracts with, any eligible organization. For purposes of this section the term 'eligible organization' means a State or interstate agency, a municipality, educational institution, and any other organization which is capable of effectively carrying out a project which may be funded by grant under subsection (b) of this section.

"(b) (1) Subject to the provisions of paragraph (2), grants or contracts may be made to pay all or a part of the costs, as may be determined by the Secretary, of any project operated or to be operated by an eligible organization, which is designed—

"(A) to develop, expand, or carry out a program (which may combine training, education, and employment) for training persons for occupations involving the management, supervision, design, operation, or maintenance of solid waste disposal and resource recovery equipment and facilities; or

"(B) to train instructors and supervisory personnel to train or supervise persons in occupations involving the design, operation, and maintenance of solid waste disposal and resource recovery equipment and facilities.

"(2) A grant or contract authorized by paragraph (1) of this subsection may be made only upon application to the Secretary at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it provides for the same procedures and reports (and access to such reports and to other records) as is required by section 207 (b) (4) and (5) with respect to applications made under such section.

"(c) The Secretary shall make a complete investigation and study to determine—

"(1) the need for additional trained State and local personnel to carry out plans assisted under this Act and other solid waste and resource recovery programs;

"(2) means of using existing training programs to train such personnel; and

"(3) the extent and nature of obstacles to employment and occupational advancement, in the solid waste disposal and resource recovery field which may limit either available manpower or the advancement of personnel in such field.

He shall report the results of such investigation and study, including his recommendations to the President and the Congress not later than one year after enactment of this Act.

#### "APPLICABILITY OF SOLID WASTE DISPOSAL GUIDELINES TO EXECUTIVE AGENCIES

"SEC. 211. (a) (1) If—

"(A) an Executive agency (as defined in section 105 of title 5, United States Code) has jurisdiction over any real property or facility the operation or administration of which involves such agency in solid waste disposal activities, or

"(B) such an agency enters into a contract with any person for the operation by such person of any Federal property or facility, and the performance of such contract involves such person in solid waste disposal activities,

then such agency shall insure compliance with the guidelines recommended under section 209 and the purposes of this Act in the operation or administration of such property or facility, or the performance of such contract, as the case may be.

"(2) Each Executive agency which conducts any activity—

"(A) which generates solid waste, and

"(B) which, if conducted by a person other than such agency, would require a permit or license from such agency in order to dispose of such solid waste,

shall insure compliance with such guidelines and the purposes of this Act in conducting such activity.

"(3) Each Executive agency which permits the use of Federal property for purposes of disposal of solid waste shall insure compliance with such guidelines and the purposes of this Act in the disposal of such waste.

"(4) The President shall prescribe regulations to carry out this subsection.

"(b) Each Executive agency which issues any license or permit for disposal of solid waste shall, prior to the issuance of such license or permit, consult with the Secretary to insure compliance with guidelines recommended under section 209 and the purposes of this Act.

#### "NATIONAL DISPOSAL SITES STUDY

"SEC. 212. The Secretary shall submit to the Congress no later than two years after the date of enactment of the Resource Recovery Act of 1970, a comprehensive report and plan for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes, including radioactive, toxic chemical, biological, and other wastes which may endanger public health or welfare. Such report shall include: (1) a list of materials which should be subject to disposal in any such site; (2) current methods of disposal of such materials; (3) recommended methods of reduction, neutralization, recovery, or disposal of such materials; (4) an inventory of possible sites including existing land or water disposal sites operated or licensed by Federal agencies; (5) an estimate of the cost of developing and maintaining sites including consideration of means for distributing the short- and long-term costs of operating such sites among the users thereof; and (6) such other information as may be appropriate."

(c) Section 215 of the Solid Waste Disposal Act (as so redesignated by subsection (b) of this section) is amended by striking out the heading thereof and inserting in lieu thereof "GENERAL PROVISIONS"; by inserting "(a)" before "Payments"; and by adding at the end thereof the following:

"(b) No grant may be made under this Act to any private profitmaking organization."

SEC. 105. Section 216 of the Solid Waste Disposal Act (as so redesignated by section 104 of this Act) is amended to read as follows:

"SEC. 216. (a) (1) There are authorized to be appropriated to the Secretary of Health, Education, and Welfare for carrying out the provisions of this Act (including, but not limited to, section 208), not to exceed \$41,500,000 for the fiscal year ending June 30, 1971.

"(2) There are authorized to be appropriated to the Secretary of Health, Education, and Welfare to carry out the provisions of this Act, other than section 208, not to exceed \$72,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$76,000,000 for the fiscal year ending June 30, 1973.

"(3) There are authorized to be appropriated to the Secretary of Health, Education, and Welfare to carry out section 208 of this Act not to exceed \$80,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$140,000,000 for the fiscal year ending June 30, 1973.

"(b) There are authorized to be appropriated to the Secretary of the Interior to carry out this Act not to exceed \$8,750,000 for the fiscal year ending June 30, 1971, not to exceed \$20,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$22,500,000 for the

fiscal year ending June 30, 1973. Prior to expending any funds authorized to be appropriated by this subsection, the Secretary of the Interior shall consult with the Secretary of Health, Education, and Welfare to assure that the expenditure of such funds will be consistent with the purposes of this Act.

"(c) Such portion as the Secretary may determine, but not more than 1 per centum, of any appropriation for grants, contracts, or other payments under any provision of this Act for any fiscal year beginning after June 30, 1970, shall be available for evaluation (directly, or by grants or contracts) of any program authorized by this Act.

"(d) Sums appropriated under this section shall remain available until expended."

#### TITLE II—NATIONAL MATERIALS POLICY

SEC. 201. This title may be cited as the "National Materials Policy Act of 1970".

SEC. 202. It is the purpose of this title to enhance environmental quality and conserve materials by developing a national materials policy to utilize present resources and technology more efficiently, to anticipate the future materials requirements of the Nation and the world, and to make recommendations on the supply, use, recovery, and disposal of materials.

SEC. 203. (a) There is hereby created the National Commission on Materials Policy (hereafter referred to as the "Commission") which shall be composed of seven members chosen from Government service and the private sector for their outstanding qualifications and demonstrated competence with regard to matters related to materials policy, to be appointed by the President with the advice and consent of the Senate, one of whom he shall designate as Chairman.

(b) The members of the Commission shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Commission.

SEC. 204. (a) The Commission shall make a full and complete investigation and study for the purpose of developing a national materials policy which shall include, without being limited to, a determination of—

(1) national and international materials requirements, priorities, and objectives, both current and future, including economic projections;

(2) the relationship of materials policy to (A) national and international population size and (B) the enhancement of environmental quality;

(3) recommended means for the extraction, development, and use of materials which are susceptible to recycling, reuse, or self-destruction, in order to enhance environmental quality and conserve materials;

(4) means of exploiting existing scientific knowledge in the supply, use, recovery, and disposal of materials and encouraging further research and education in this field;

(5) means to enhance coordination and cooperation among Federal departments and agencies in materials usage so that such usage might best serve the national materials policy;

(6) the feasibility and desirability of establishing computer inventories of national and international materials requirements, supplies, and alternatives; and

(7) which Federal agency or agencies shall be assigned continuing responsibility for the implementation of the national materials policy.

(b) In order to carry out the purposes of this title, the Commission is authorized—

(1) to request the cooperation and assistance of such other Federal departments and agencies as may be appropriate;

(2) to appoint and fix the compensation of such staff personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without re-



gard to the provisions of chapter 51 and subchapter III of such title relating to classification and General Schedule pay rates; and

(3) to obtain the services of experts and consultants, in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed \$100 per diem.

(c) The Commission shall submit to the President and to the Congress a report with respect to its findings and recommendations no later than June 30, 1973, and shall terminate not later than ninety days after submission of such report.

(d) Upon request by the Commission, each Federal department and agency is authorized and directed to furnish, to the greatest extent practicable, such information and assistance as the Commission may request.

SEC. 205. When used in this title, the term "materials" means natural resources intended to be utilized by industry for the production of goods, with the exclusion of food.

SEC. 206. There is hereby authorized to be appropriated the sum of \$2,000,000 to carry out the provisions of this title.

And the Senate agree to the same.

HARLEY O. STAGGERS,  
JOHN JARMAN,  
PAUL G. ROGERS,  
WILLIAM L. SPRINGER,  
ANCHER NELSEN,

*Managers on the Part of the House.*

JENNINGS RANDOLPH,  
EDMUND S. MUSKIE,  
THOMAS F. EAGLETON,  
J. CALEB BOGGS,  
HOWARD H. BAKER, Jr.,

*Managers on the Part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment struck out all of the House bill after the enacting clause and inserted a new text. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment.

Except for minor, technical, or conforming provisions, this statement explains the action of the managers on the part of the House.

#### SECTION 202 OF ACT (FINDINGS AND PURPOSE)

The Senate amendment added new language to describe the purposes of the Solid Waste Disposal Act in order to emphasize recycling, local planning, and training functions. The House bill contained no comparable provision. The conference report incorporates these provisions of the Senate amendment.

#### SECTION 203 OF ACT (DEFINITIONS)

The House bill amended section 203 of the Solid Waste Disposal Act by adding a definition of the term "municipality." The Senate amendment amended this section of the act to eliminate the Department of the Interior's responsibility under existing law for disposal of mineral solid waste and to add to the act definitions of municipality, intermunicipal agency, recovered resources, and resource recovery systems. The Senate definition of municipality included Indian tribes.

The conference report includes the additional definitions, as added by the Senate amendment.

Under the conference agreement the Department of the Interior would retain its responsibilities; however, the Secretary of the Interior is required by new section 216(b) of the act to consult with the Secretary of Health, Education, and Welfare prior to expending any Department of the Interior appropriations under the act.

It should be noted in this context that under Reorganization Plan No. 3 of 1970 the functions of the Secretary of the Interior under the Solid Waste Disposal Act will not be transferred; however, the functions of the Secretary of Health, Education, and Welfare under the act (including any new functions he obtains by reason of the bill) will be transferred under the reorganization plan to the Administrator of the Environmental Protection Agency. The transfer will take effect on the date determined under section 7 of the reorganization plan (in early December 1970).

#### SECTION 204 OF ACT (OBJECTIVES OF STUDIES)

The House bill amended section 204 of the Solid Waste Disposal Act so as to emphasize (1) reduction of the amount of solid waste, (2) new and improved methods of collecting and disposing of solid waste, and (3) recovery of usable materials or energy from solid waste, as the multiple objectives of studies, research, experiments, training, and demonstrations to be conducted by the Secretary of Health, Education, and Welfare.

The Senate amendment incorporated the same provisions as the House bill and added two additional factors to be considered in the studies, demonstrations, etc.: (1) any adverse health and welfare effects of the release into the environment of material present in solid waste and methods to eliminate such effects; and (2) the identification of solid waste components and potential materials and energy recoverable from such waste components. The Senate amendment also provided a specific authorization of appropriations to carry out section 204.

The conference agreement incorporates all of the Senate amendments to section 204 except the specific authorization of appropriations.

#### NEW SECTION 205 OF ACT (SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF USEFUL ENERGY AND MATERIALS)

The House bill inserted a new section 205 into the act, which directed the Secretary of Health, Education, and Welfare to carry out an investigation and study of—

- (1) economical means of recovering useful materials from solid waste, and the uses and market impact of, such materials;
- (2) incentive programs for solving the problems of solid waste disposal problems;
- (3) changes in current production and packaging practices; and
- (4) methods of collection and containerization.

The Secretary was directed to report on the study to the President and Congress and was authorized to carry out demonstration projects to test and demonstrate techniques developed as a result of the study.

Under the Senate version of the bill, title III was essentially similar to the section 205 of the act as added by the House bill, with the following exceptions:

- (1) The Senate provision specified several additional factors to be studied (in particular, the use of Federal procurement to develop market demand for recovered resources, economic incentives and disincentives for recycling, and disposal charges).
- (2) The Senate provided for a study to be completed within two years.
- (3) No specific authority was provided for demonstration projects to test and demonstrate the techniques developed in the study.

The conference agreement incorporates the provisions of the House bill, and in addition directs the Secretary to conduct studies on the factors specified in paragraph (1), supra.

#### NEW SECTION 207 OF ACT (PLANNING GRANTS)

The House bill added a new section 207 to the Solid Waste Disposal Act (a revision of section 206 of existing law) which authorized planning grants to public agencies and councils of government. The Federal share was up to 66⅔ percent in the case of a grant for an area including only one municipality and up to 75 percent in any other case. The planning grants were to be available for (1) making surveys of solid waste disposal practices and problems and (2) developing solid waste disposal plans as part of regional environmental protection systems. The House bill also authorized grants to pay up to 50 percent of the cost of overseeing the implementation, enforcement, and modification of such plans.

The Senate amendment added a section 207 to the act which differed from the House provision principally in that no provision was made for Federal assistance for overseeing the implementation, etc., of the plans, and that more emphasis was given in the Senate provision to planning for recycling and resource recovery and for removal of abandoned automobile hulks. The conference agreement contains the substantive provisions of the Senate amendment in these respects.

#### NEW SECTION 208 OF ACT (GRANTS FOR RESOURCE RECOVERY SYSTEMS AND IMPROVED SOLID WASTE DISPOSAL SYSTEMS)

Under the House bill this section provided for grants to public agencies for the construction of projects utilizing new and improved techniques of demonstrated usefulness in reducing the environmental impact of solid waste disposal, promoting the recovery of energy or resources, or the recycling of useful materials.

In the case of grants to a single municipality, the Federal share was limited to 50 percent. In other cases, the Federal share could be 75 percent. In either case, however, grants shall be made only if—

- (1) funds could not be obtained from other sources upon equally favorable terms;
- (2) the applicant had made satisfactory provision for operation and maintenance of the project; and
- (3) the project was consistent with the purposes of the Federal Water Pollution Control Act and the Clean Air Act.

Under the House bill not more than 15 percent of the total funds appropriated for the purposes of this section in any fiscal year could be granted for projects in any one State, and not more than 10 percent of the allotment to the State for any one project.

The Senate amendment provided for grants to varying sizes of communities to demonstrate resource recovery systems. (Sec. 203(10) of the act, as added by the Senate, defines "resource recovery system" as a solid waste management system which provides for collection, separation, recycling, and recovery of solid wastes, including disposal of nonrecoverable waste residues.) These systems were required to be areawide, and grants were to be made so that a variety of solid waste problems (including those of smaller towns and rural areas) would be dealt with. A system was required to be consistent with plans developed in accordance with section 207(b)(2) and with the section 209 guidelines. A proposal for a system grant had to provide assurance that an equitable means exists for distributing the costs among the users of the system. The Senate amendment specifically authorized annual appropriations of \$20 million, \$30 million, \$50 million, and \$55 million through fiscal year 1974 for the programs under this section.

The conference substitute combines these provisions of the House and Senate versions.



The substitute authorizes the Secretary to make grants to public agencies for the demonstration of resource recovery systems ("demonstration grants") or for the construction of new or improved solid waste disposal facilities ("construction grants").

A grant may not be made for either kind of project unless the project meets certain planning requirements and is consistent with the section 209 guidelines.

A demonstration grant may be made only if it is designed to provide areawide resource recovery systems consistent with the purposes of the act, and it provides an equitable procedure for allocating the costs of the system among the users. The Federal share of a demonstration grant is 75 percent.

A construction grant may be made only if the project advances the state of the art by applying new and improved techniques in reducing the environmental impact of solid waste disposal, in achieving recovery of energy or resources, or in recycling useful materials. The Federal share of a construction grant is up to 50 percent for a project area which includes only one municipality, and up to 75 percent in any other case.

The Secretary is directed to promulgate regulations relating to the award of grants within 90 days. The regulations would provide among other things that projects would be carried out in communities of varying sizes, under such conditions as will assist in solving the community waste problems of urban-industrial centers, metropolitan regions, and rural areas, under representative geographic and environmental conditions.

In acting on grant applications the Secretary is directed to consider among other things, the economic and commercial viability of the project, and the potential of such project for general application to community solid waste disposal problems.

Grants under this section are to be made subject to the following limitations:

(1) A grant be made only in the amount of the Federal share of the estimated total design and construction costs, plus (in the case of a demonstration grant) the first-year operation and maintenance costs. The non-Federal share may be in any form, including lands or interests therein, or personal property or services (to be valued by the Secretary).

(2) A grant may not be provided for land acquisition.

(3) The applicant must make satisfactory provision for operation and maintenance of the project.

Section 216(a) (3) of the act, as added by the conference substitute, authorizes to carry out section 208 the sum of \$80 million for fiscal year 1972, and \$140 million for fiscal year 1973. No amount is specified for fiscal year 1971; however, appropriations authorized by section 216(a) (1) (which are generally available to carry out the act) would be available for section 208 in fiscal year 1971. Not more than 15 percent of the authorization for section 208 for any fiscal year (other than fiscal year 1971) could be granted for projects in any one State.

#### NEW SECTION 209 OF ACT (SOLID WASTE DISPOSAL GUIDELINES)

Section 209 as added by the House bill directed the Secretary, within 18 months following date of enactment, to recommend to the appropriate agencies standards for solid waste collection and disposal systems (including systems for private use) which are consistent with health, air, and water pollution standards and can be adapted to applicable land-use plans. Such standards were to be developed in cooperation with appropriate State, interstate, and regional and local agencies. The Secretary was also authorized to recommend model codes to implement this section.

Section 209 as added by the Senate amendment directed the Secretary as soon as practicable after the enactment of the bill to recommend to appropriate agencies guide-

lines for solid waste recovery, collection, separation, and disposal systems (including systems for private use), which are consistent with public health and welfare, and air and water quality standards and adaptable to appropriate land-use plans. Such guidelines would apply to such systems whether on land or water and would be required to be revised from time to time.

The Secretary was directed to recommend model codes as in the House bill, and in addition to issue technical information.

The conference substitute incorporates the principal provisions of the Senate version of section 209.

#### NEW SECTION 210 OF ACT (TRAINING GRANTS)

The Senate amendment inserted a new section 210 in the act, which authorized the Secretary to make grants for the purpose of providing training in the field of solid waste disposal. The House bill had no comparable provision. The conference substitute incorporates the principal provisions of the Senate amendment in this regard.

The new section 210 authorizes the Secretary to make grants to, and contracts with, eligible organizations. An eligible organization is a public agency, educational institution, and any other organization which is capable to effectively carrying out a project under this section. Grants or contracts may be made to pay all or a part of the costs of any project, operated by an eligible organization, to train persons for occupations involving the management, supervision, design, operation, or maintenance of solid waste disposal and resource recovery equipment and facilities; or to train instructors and supervisory personnel to train or supervise persons in such occupations.

The section contains provisions relating to applications, reports, and records.

In addition the Secretary is directed to make a 1-year study of personnel needs in solid waste and resource recovery programs; of means of using existing training programs to train such personnel; and of obstacles to employment and occupational advancement in the solid waste disposal and resource recovery field.

#### NEW SECTION 211 OF ACT (APPLICABILITY OF SECTION 209 GUIDELINES TO EXECUTIVE AGENCIES)

The Senate amendment inserted a new section 211 in the act which generally provided that Federal agencies would insure compliance with the section 209 guidelines in carrying out their functions. The House bill contained no comparable provision. The conference substitute incorporates a modification of the Senate provision.

Section 211(a) (1) of the act, as added by the conference substitute, would provide that if an Executive agency has jurisdiction over any real property or facility the operation or administration of which involves such agency in solid waste disposal activities, or if the agency enters into a contract with any person for the operation by such person of any Federal property or facility, the performance of which involves such person in solid waste disposal activities, then the agency must insure compliance with the section 209 guidelines and the purposes of the act in the operation or administration of such property or facility, or the performance of such contract.

Section 211(a) (2) requires that each Executive agency conducting an activity which

generates solid waste, and which, if conducted by a person other than such agency, would require a permit or license from such agency in order to dispose of such solid waste, shall insure compliance with such guidelines and the purposes of the act in conducting such activity.

Paragraph (3) of section 211(a) requires each Executive agency which permits the use of Federal property for purposes of disposal of solid waste to insure compliance with such guidelines and the purposes of this act in the disposal of such waste.

Paragraph (4) of section 211(a) directs the President to prescribe regulations to carry out section 211(a).

Section 211(b) requires each Executive agency which issues any license or permit for disposal of solid waste to consult with the Secretary to insure compliance with the section 209 guidelines and the purposes of the act, prior to the issuance of the license or permit.

#### NEW SECTION 212 OF ACT (NATIONAL DISPOSAL SITES STUDY)

The Senate amendment inserted a new section 212 in the act, which provided for a 2-year national disposal sites study. The Secretary was directed to make a comprehensive report and plan for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes, including radioactive, toxic chemical, biological, and other wastes which may endanger public health or welfare. The report would include (1) a list of materials subject to disposal; (2) current methods of disposal of such materials; (3) recommended methods of disposal of such materials; (4) an inventory of possible sites; and (5) cost estimates.

The House bill had no comparable provision. The House recedes on this provision.

#### NEW SECTION 215 (b) OF ACT (GRANT RESTRICTIONS)

The Senate amendment prohibited the Secretary from making grants under the Solid Waste Disposal Act to private profit-making organizations. The House bill contained no comparable provision. The conference substitute contains this provision (new section 215(b) of the act).

#### NEW SECTION 216 OF ACT (AUTHORIZATION OF APPROPRIATIONS)

The House bill authorized separate appropriations to the Secretary of Health, Education, and Welfare and to the Secretary of the Interior to carry out the act for fiscal years 1971, 1972, and 1973.

The Senate amendment contained specific authorizations to carry out sections 204 and 208 for fiscal years 1971, 1972, 1973, and 1974, and open-ended authorizations for those years to carry out all other provisions of the act. It also authorized specific sums to carry out titles II and III of the bill.

The conference substitute contains (1) specific authorizations of appropriations to the Secretary of Health, Education, and Welfare to carry out the act (including sec. 208) for fiscal year 1971, and separate authorizations to carry out section 208 and the other provisions of the act for fiscal years 1972 and 1973, (2) authorizations of appropriations to the Secretary of the Interior to carry out his functions through fiscal year 1973, and (3) an authorization for title III of the bill. The following table compares the appropriations authorized by the House bill, the Senate amendment, and the conference substitute:

COMPARISON OF AUTHORIZATIONS  
[Dollar amounts in millions]

		Fiscal year 1971	Fiscal year 1972	Fiscal year 1973	Fiscal year 1974
House Bill.....	HEW Functions.	\$83	\$152	\$216	No Authoriza- tion.
	Interior Functions.	\$17.5	\$20	\$22.5	
Senate Amendment.....	§ 204 of Act	\$31.5	\$40.5	\$40	\$38.5.
	§ 208 of Act	\$20	\$30	\$50	\$55.
	All other provisions of Act.	No limit	No limit	No limit	No limit.



## COMPARISON OF AUTHORIZATIONS—Continued

	Fiscal year 1971	Fiscal year 1972	Fiscal year 1973	Fiscal year 1974
Conference Substitute.....	Title II of bill Title III of bill HEW Func- tions. \$208 of Act All other HEW func- tions under Act. Interior func- tions. Title II of bill			
	\$2 for duration of Commission. \$2 for duration of study. \$41.5 (Above amount available both for § 208 and other HEW functions). \$8.75 \$2 for duration of Commission.			
		\$80	\$140	
		\$72	\$76	No Authoriza- tion.
		\$20	\$22.5	

Both bills contain authority to evaluate programs under this Act. Such evaluation should include examination of individual training grants and contracts to assure that desired results are being achieved.

## TITLE II OF BILL (NATIONAL MATERIALS POLICY)

Title II of the Senate amendment provided for the establishment of a presidentially appointed National Commission on Materials Policy to make recommendations on the supply, use, recovery, and disposal of materials and to report thereon by June 30, 1973. The House bill had no comparable provision. The House receded with an amendment, which requires the Commission to determine which Federal agency would have continuing responsibility in the materials policy area.

HARLEY O. STAGGERS,  
JOHN JARMAN,  
PAUL G. ROGERS,  
WILLIAM L. SPRINGER,  
ANCHER NELSEN,

Managers on the Part of the House.

# PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO FILE CERTAIN REPORTS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file certain reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask if the action by the committee on this report has been completed?

Mr. STAGGERS. Action by the committee has been completed, and we are preparing the measure in the proper form to go into the RECORD. Action by the committee has been taken.

I might say to the gentleman from Missouri that the administration requested that this bill be passed before we recess, because of the condition of some of the railroads in our Nation. It is called the Railpak bill. They have wanted it. We have tried our best to be helpful to the administration. We worked hard on it today. We completed it a few minutes after 12 o'clock. Members of the staff are now working hard to get that report ready so that it can be filed by midnight tonight.

Mr. HALL. Mr. Speaker, further reserving the right to object, may I ask if other committee jurisdiction is involved?

Mr. STAGGERS. Yes, there is. A measure coming from the Ways and Means Committee was incorporated into our bill today after 12 o'clock. We waited until we got the report from them. We would have had it ready to be filed if it had not been before that committee.

Mr. HALL. May I ask the distinguished

chairman of the Committee on Interstate and Foreign Commerce what advantage accrues from asking special permission to file a report, regardless of where the request comes from or what the source is, by unanimous consent, thus obviating the right of the individual, elected Representative in Congress to object?

Mr. STAGGERS. We hope if the request is granted that the administration can at least try to prevail upon the Rules Committee to grant a rule on this bill so it might be brought to the floor of the Congress before we recess. If a rule were not granted tomorrow, it would not be until next week before a rule could be granted, which might make the situation such that we could not pass the bill.

Mr. HALL. I am sure the gentleman agrees with me that the administration will not appear before the Committee on Rules of this House in any form.

Mr. STAGGERS. No, sir.

Mr. HALL. Does the gentleman mean that he has been instructed by his committee to appear before the Committee on Rules and expedite passage of the bill?

Mr. STAGGERS. That is the custom. Committee chairmen try to do that, yes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

Mr. HALL. Mr. Speaker, further reserving the right to object, may I ask the distinguished chairman what the content and the main import of this bill is that we need to expedite it so rapidly here in the waning days of this Congress.

Mr. STAGGERS. It is a compact between the railroads of the United States. They would join together with the Government in this program. This is a bill in which labor, management, and the administration have all collaborated. They appeared before the committee in behalf of the bill. I know of no opposition from anywhere to the bill. Realizing the circumstances of the railroads of this Nation, we believe that something has to be done and done in a hurry, and we are hopeful through this method that we can do something to help the railroads.

It is a compact for the railroads.

Mr. HALL. I understand the gentleman wishes to bring this to the floor of the House before recess next Wednesday afternoon, which seems to be the information around the House at the present time.

Mr. STAGGERS. I would be hopeful for the benefit of the railroads and the people of the Nation that it could be done.

Mr. HALL. That is, of course, subject

to a rule being granted, and that is why the gentleman seeks earlier permission to file it before editing is completed. Is that the situation?

Mr. STAGGERS. That is correct. Everything else has been done on the bill, and we are just trying to get the report ready.

Mr. HALL. May I ask one additional question. Was it unanimous in the subcommittee and in the full committee?

Mr. STAGGERS. To my knowledge it was. I can say it was. I am sure it was in the full committee, and I am sure it was in the subcommittee.

Mr. HALL. Mr. Speaker, again we are confronted with an unusual situation in the waning days of the Congress that should adjourn sine die instead of recess. I see no inherent objection to the bill itself, but again we are confronted with the question of unanimous consent about which we have no paper in hand and no information other than that which the distinguished gentleman has given us.

Mr. Speaker, again I serve notice that we will not function in this House as far as an individual objection will pertain in the waning days of this Congress on a unanimous consent or a suspension of the rules request.

I see no objection to this, and I will not object at this time, and I withdraw my reservation of objection.

Mr. STAGGERS. Mr. Speaker, I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

## OUR FOREIGN POLICY

(Mr. ROBERTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. ROBERTS. Mr. Speaker, much has been said recently concerning U.S. foreign policy and the strength necessary to support such a foreign policy. Few people have covered the subject as well as Mr. Forbes Mann, president of LTV, Aerospace Corp., in a recent speech before a Texas breakfast club.

My colleague, J. J. PICKLE, joins me in highly commending Mr. Mann's statement to our colleagues:

### ADDRESS BY FORBES MANN

In his February 18th report to the Congress on "U.S. Foreign Policy for the 1970's", the President identified three central principles on which American foreign policy will be based: partnership among friends and allies, strength, and the willingness to negotiate with Communist nations.

The strength of the Nation, in a narrow sense, is generally accepted to mean its ability to fend off enemy action. Defined more broadly, it would include productive, technical, and managerial capabilities: the physical, moral, and cultural health and the sense of unity of the people.

The strength of the Nation, as defined in the narrower sense, is derived basically from the armed forces and their industrial suppliers—many thousands of them—some very large, many very small. In a speech that more often than not has been quoted out of context, the late President Eisenhower called it "the military-industrial complex."

Today the term "military-industrial complex" has achieved the status of an epithet. It has even been implied, mostly by innuendo, that there exists in this country today



# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

For actions of October 7, 1970  
91st-2nd, No. 176

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HIGHLIGHTS: Conferees, in executive session, agreed to file report on the Farm Bill; as approved by the Conferees, present farm programs would be extended three years.

### SENATE

1. MINK FARMERS. Sen. Proxmire declared that Congress must act quickly to provide loans to mink farmers and he placed in the Record his testimony before the Committee on Agriculture and Forestry. p. S17331

2. SOLID WASTE. Senate agreed to conference report on H.R. 11833. pp. S17398-404

2. LANDS. Passed without amendment H.R. 13125, to provide for the exchange of certain lands in N. Dakota, S. Dakota, Montana and Washington. This bill now goes to the President. pp. S17300-01
3. RIVER VALLEY; FEDERAL ASSISTANCE CATALOG. Passed with amendment S. 4090, to preserve and promote the resources of the Connecticut River Valley; and S. 60, to create a catalog of Federal Assistance programs. pp. S17294;98; S17303-05
4. WILDERNESS. Agreed to House amendment and cleared for the President S. 3014, designating as wilderness certain areas in several of the states. pp. S17380-81
5. APPROPRIATIONS. Agreed to conference report on H.R. 17575, fiscal 1971 appropriations for the Departments of State, Justice and Commerce. This bill now goes to the President. pp. S17388-93
6. FISH AND WILDLIFE. Committee on Commerce reported with amendments H.R. 12475, providing funds for fish and wildlife restoration programs (S. Rept. 91-1289). p. S17318
7. WATERSHED PROJECTS. Committee on Public Works approved the following watershed projects:
  - Bahala Creek, Miss.;
  - Clear Creek, Ill.;
  - Crooked Arroyo, Colo.;
  - East Upper Maple River, Mich.;
  - Fish Stream, Maine;
  - McKay-Rock Creek, Oreg.;
  - Newlan Creek, Mont.;
  - Upper Ouachita River, Ark.; and
  - West Branch, Westfield River, Mass

HOUSE

8. FARM BILL. Rep. Sibelius called for new farm legislation by OCT. 14, to avoid \$2 million wheat referendum. p. H9702
9. HIGHWAY SAFETY. Both Houses received the President's Third Annual Report on the Administration of the Highway Safety Act of 1966 and the National Traffic and Motor Vehicle Safety Act (H. Documents No. 91-397 and 91-398).
10. ENVIRONMENT. Received message from the President on the Environmental Protection Agency (H. Doc. No. 91-399). p. H9780



abuse prevention, treatment, and rehabilitation from the broad framework of the mental health program; and I am concerned over his proposal to abolish the provisions of the Community Health Centers Act with respect to grants for construction and staffing of facilities for the treatment and rehabilitation of narcotics addicts which require that such projects either be established within the framework of a Community Mental Health Center or that at least there be arrangements whereby comprehensive services would be provided or made available by the grantee.

The title of the House-passed bill which would be replaced by my colleague's amendment empowers the Secretary—section 3(a)—to give broad protection to researchers against being compelled to disclose the identity of individuals who are the subjects of research, regardless of whether the research is conducted under authority of this particular title; whereas the proposed amendment would limit this protection to research conducted only under this title, and would further destroy this protection by authorizing courts to compel disclosure. This title of the bill was all worked out between members of the House committee and representatives of the Departments of Justice and Health, Education, and Welfare, and I cannot understand why such carefully considered draftsmanship must now be scuttled.

It has been pointed out that this amendment was the subject of a separate bill which my colleague introduced last March 9 as S. 3562. The bill received hearings before his Subcommittee on Alcoholism and Narcotics of the Committee on Labor and Welfare, and strong objections to many of its provisions were voiced by representatives of the Departments of Justice, and Health, Education, and Welfare. To date, the committee has not seen fit to approve the bill and report it to the Senate for action.

Notwithstanding the committee's failure to act favorably on the bill, we are now asked to approve it in the form of an amendment to a law enforcement bill—one which is desperately needed by our law enforcement agencies seeking to slow down the terrible traffic in drugs. The managers of the House-passed bill have warned that the adoption of this amendment would delay if not defeat the bill altogether, and because in its present state, the House will not agree to this amendment. I can understand this position, because the amendment is the same as a bill which our own Senate committee has not approved.

The amendment should be withdrawn and the bill which it represents should be carefully reworked. If this is done, I should think it could be approved by the committee and eventually by the Senate. It would be tragic to push an amendment subject to so many defects at the risk of delaying or defeating action long overdue for better law enforcement and revision of penalties to accord with better justice.

The PRESIDING OFFICER. The question now occurs on the amendment of the Senator from Iowa. On this

question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the motion by the Chair to vote on the pending amendment be voided.

The PRESIDING OFFICER. The Chair states that the rollcall has not begun since no Senator has responded.

Mr. MANSFIELD. So it can be done. The Senator from Nebraska is not on the floor.

Mr. HRUSKA. Mr. President, I was removed 6 feet from where I stand now—and I now stand by the desk of the majority leader—and the motion was considered and an attempt was made to pass it. As I understand it, the yeas and nays have been ordered.

Mr. MANSFIELD. The yeas and nays are going to be called. It was not going to be passed by voice vote. The clerk started to call the roll, but no Senator has answered as yet.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Iowa. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. DODD (after having voted in the negative). On this vote I have a live pair with the Senator from Maine (Mr. MUSKIE). If he were present, he would vote "Yea." If I were permitted to vote, I would vote "Nay." Therefore, I withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Virginia (Mr. BYRD), the Senator from Nevada (Mr. CANNON), the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Tennessee (Mr. GORE), the Senator from Oklahoma (Mr. HARRIS), the Senator from Indiana (Mr. HARTKE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Wyoming (Mr. MCGEE), the Senator from New Mexico (Mr. MONTOYA), the Senator from Utah (Mr. MOSS), the Senator from Maine (Mr. MUSKIE), the Senator from Georgia (Mr. RUSSELL), the Senator from Missouri (Mr. SYMINGTON), and the Senator from Maryland (Mr. TYDINGS) are necessarily absent.

I further announce that the Senator from Alaska (Mr. GRAVEL), the Senator from North Carolina (Mr. JORDAN), the Senator from Alabama (Mr. SPARKMAN), the Senator from Georgia (Mr. TALMADGE), the Senator from Texas (Mr. YARBOROUGH), and the Senator from Ohio (Mr. YOUNG) are absent on official business.

I further announce that, if present and voting, the Senator from Arkansas (Mr. FULBRIGHT), the Senator from Alaska

(Mr. GRAVEL), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Texas (Mr. YARBOROUGH), the Senator from Ohio (Mr. YOUNG), the Senator from Oklahoma (Mr. HARRIS), and the Senator from Missouri (Mr. SYMINGTON) would each vote yea.

Mr. GRIFFIN. I announce that the Senators from Vermont (Mr. AIKEN and Mr. PROUTY), the Senators from Arizona (Mr. FANNIN and Mr. GOLDWATER), the Senator from Hawaii (Mr. FONG), the Senator from New York (Mr. GOODELL), the Senator from California (Mr. MURPHY), the Senator from Kansas (Mr. PEARSON), the Senator from Illinois (Mr. SMITH), and the Senator from Texas (Mr. TOWER) are necessarily absent.

The Senator from Oklahoma (Mr. BELLMON) is absent on official business.

The Senator from South Dakota (Mr. MUNDT) is absent because of illness.

If present and voting, the Senator from Kansas (Mr. PEARSON) would vote "yea."

On this vote, the Senator from New York (Mr. GOODELL) is paired with the Senator from South Dakota (Mr. MUNDT). If present and voting, the Senator from New York would vote "yea" and the Senator from South Dakota would vote "nay."

On this vote, the Senator from California (Mr. MURPHY) is paired with the Senator from Texas (Mr. TOWER). If present and voting, the Senator from California would vote "yea" and the Senator from Texas would vote "nay."

The result was announced—yeas 44, nays 23, as follows:

#### [No. 363 Leg.]

#### YEAS—44

Allen	Hatfield	Nelson
Anderson	Hollings	Pastore
Bayh	Hughes	Pell
Brooke	Inouye	Percy
Burdick	Jackson	Proxmire
Byrd, W. Va.	Javits	Randolph
Case	Long	Ribicoff
Church	Magnuson	Saxbe
Cranston	Mansfield	Schweiker
Dominick	Mathias	Spong
Eagleton	McCarthy	Stennis
Eastland	McGovern	Stevens
Ellender	McIntyre	Thurmond
Ervin	Metcalf	Williams, N.J.
Hart	Mondale	

#### NAYS—23

Allott	Curtis	McClellan
Baker	Dole	Miller
Bennett	Griffin	Packwood
Bible	Gurney	Scott
Boggs	Hansen	Smith, Maine
Cook	Holland	Williams, Del.
Cooper	Hruska	Young, N. Dak.
Cotton	Jordan, Idaho	

PRESENT AND GIVING A LIVE PAIR—1  
Dodd, against.

#### NOT VOTING—32

Aiken	Harris	Prouty
Bellmon	Hartke	Russell
Byrd, Va.	Jordan, N.C.	Smith, Ill.
Cannon	Kennedy	Sparkman
Fannin	McGee	Symington
Fong	Montoya	Talmadge
Fulbright	Moss	Tower
Goldwater	Mundt	Tydings
Goodell	Murphy	Yarborough
Gore	Muskie	Young, Ohio
Gravel	Pearson	

So Mr. HUGHES' amendment was agreed to.

Mr. HUGHES. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. JAVITS and Mr. DOMINICK



moved to lay the motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1031

Mr. DOMINICK. Mr. President, I call up my amendment No. 1031 and ask that it be stated. Let me advise my colleagues that discussion on it will be quite short.

The PRESIDING OFFICER (Mr. CRANSTON). The amendment will be stated.

The legislative clerk read as follows:

AMENDMENT NO. 1031

TITLE IV—REPORT ON ADVISORY COUNCILS

SEC. 1200. (a) Not later than March 31 of each calendar year after 1970, the Secretary of the Department of Health, Education, and Welfare shall submit a report on the activities of advisory councils (established or organized pursuant to any applicable statute of the Public Health Service Act, Public Law 410, Seventy-eighth Congress, as amended, or the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, Public Law 88-164, as amended) to the Committee on Labor and Public Welfare of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives. Such report shall contain, at least, a list of all such advisory council, the names and occupations of their members, a description of the function of each advisory council, and a statement of the dates of the meetings of each advisory council.

(b) If the Secretary determines that a statutory advisory council is not needed or that the functions of two or more statutory advisory councils should be combined, he shall include in the report a recommendation that such advisory council be abolished or that such functions be combined.

(c) As used in this section, the term "statutory advisory council" means any committee, board, commission, council, or other similar group established or organized pursuant to any applicable statute to advise and make recommendations with respect to the administration or improvement of an applicable program or other related matter.

Mr. DOMINICK. Mr. President, if I may have the attention of my colleagues, it is my hope that the manager of the bill will accept the amendment. It would add a new title IV, to provide that the Secretary of Health, Education, and Welfare, on March 31 of each calendar year, starting next year, would submit a report on the activities of advisory councils established under the Public Health Service Act and Mental Retardation Facilities and Community Mental Health Centers Construction Act to the Committee on Labor and Public Welfare and also to the Interstate and Foreign Commerce Committee of the House.

This report would contain a list of all the advisory councils, the names and occupations of the members, a description of their functions, and a statement of the dates of their meetings for that year.

If the Secretary determines, in the process of preparing his annual report, that an advisory council is not needed, and should be abolished, or that the functions of two or more might be combined, he would include in his report recommendations to that effect. Congress would decide whether to act on such recommendations. It would not be automatic.

In order to illustrate what I am talking about, these publications contain nothing but lists of the advisory councils, and their memberships, established in connection with just three of the operating agencies of the Public Health Service—the National Institutes of Health, the Health Services and Mental Health Administration, and the Environmental Health Service.

Without trying to be dramatic, I am sure there is no one in this Chamber who knows what they are, what they do, or what membership they represent.

There are about 325 statutory advisory councils with about 3,375 appointed members. These individuals and their staffs are entitled to compensation of \$50 to \$100 per day, in addition to expenses for travel and subsistence.

I am not saying that we need to abolish them all, but it does seem to me, since we have so much money involved here, that we ought to have some kind of periodic survey and report to see what accommodation we might have in the way of streamlining the procedure. That is all I am asking in the amendment.

It is my hope that the manager of the bill will accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. HRUSKA. Mr. President, it is the understanding of this Senator that the purpose of the amendment is to cause the Secretary of Health, Education, and Welfare to inventory all of these bodies, whether they be commissions, committees, or anything else, to evaluate their present effectiveness and to determine whether their mission has been accomplished and discharge them, or whether there is any further need for any of their originally declared purposes.

Mr. DOMINICK. The Senator is correct. We have gone further than that, because we had the same problem in the educational field. We have a provision in the educational law now which, of course, gives the Secretary the authority to abolish them unless either House of Congress objects. This would not work in that way. We ask him to make a report and then the Congress can abolish them or not as it chooses.

Mr. HRUSKA. Mr. President, if the origin of the body is in the executive branch, would that prohibition still apply?

Mr. DOMINICK. They would still be able to do it, but they would have to report to us as to what they were doing and why.

Mr. HRUSKA. So that we would be informed.

Mr. DOMINICK. The Senator is correct.

Mr. HRUSKA. Otherwise, if they were created by statute, the recommendation would run from the Secretary to the Congress for its good judgment.

Mr. DOMINICK. The Senator is correct. Congress would have the right to act or not to act as it saw fit.

Mr. HRUSKA. Is there any time limit on the assignment matter?

Mr. DOMINICK. We are asking him to do it once a year, not later than March 31.

Mr. DODD. Mr. President, I think this is a good amendment. I am happy to accept it.

Mr. HRUSKA. Mr. President, I concur with the Senator from Connecticut.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado.

The amendment was agreed to.

RESOURCE RECOVERY ACT OF 1970—  
CONFERENCE REPORT

Mr. RANDOLPH. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. CRANSTON). Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report, as follows:

CONFERENCE REPORT (H. REPT. NO. 91-1579)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: That this Act may be cited as the "Resource Recovery Act of 1970".

TITLE I—RESOURCE RECOVERY

SEC. 101. Section 202(b) of the Solid Waste Disposal Act is amended to read as follows:

"(b) The purposes of this Act therefore are—

"(1) to promote the demonstration, construction, and application of solid waste management and resources recovery systems which preserve and enhance the quality of air, water, and land resources;

"(2) to provide technical and financial assistance to States and local governments and interstate agencies in the planning and development of resource recovery and solid waste disposal programs;

"(3) to promote a national research and development program for improved management techniques, more effective organizational arrangements, and new and improved methods of collection, separation, recovery, and recycling of solid wastes, and the environmentally safe disposal of nonrecoverable residues;

"(4) to provide for the promulgation of guidelines for solid waste collection, transport, separation, recovery, and disposal systems; and

"(5) to provide for training grants in occupations involving the design, operation, and maintenance of solid waste disposal systems."



SEC. 102. Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

"(7) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law with responsibility for the planning or administration of solid waste disposal, or an Indian tribe.

"(8) The term 'intermunicipal agency' means an agency established by two or more municipalities with responsibility for planning or administration of solid waste disposal.

"(9) The term 'recovered resources' means materials or energy recovered from solid wastes.

"(10) The term 'resource recovery system' means a solid waste management system which provides for collection, separation, recycling, and recovery of solid wastes, including disposal of nonrecoverable waste residues."

SEC. 103. (a) Section 204(a) of the Solid Waste Disposal Act is amended to read as follows:

"SEC. 204. (a) The Secretary shall conduct, and encourage, cooperate with, and render financial and other assistance to appropriate public (whether Federal, State, interstate, or local) authorities, agencies, and institutions, private agencies and institutions, and individuals in the conduct of, and promote the coordination of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to—

"(1) any adverse health and welfare effects of the release into the environment of material present in solid waste, and methods to eliminate such effects;

"(2) the operation and financing of solid waste disposal programs;

"(3) the reduction of the amount of such waste and unsalvageable waste materials;

"(4) the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering materials and energy from solid wastes; and

"(5) the identification of solid waste components and potential materials and energy recoverable from such waste components."

(b) Section 204(d) of the Solid Waste Disposal Act is repealed.

SEC. 104. (a) The Solid Waste Disposal Act is amended by striking out section 206, by redesignating section 205 as 206, and by inserting after section 204 the following new section:

**"SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF USEFUL ENERGY AND MATERIALS"**

"SEC. 205. (a) The Secretary shall carry out an investigation and study to determine—

"(1) means of recovering materials and energy from solid waste, recommended uses of such materials and energy for national or international welfare, including identification of potential markets for such recovered resources, and the impact of distribution of such resources on existing markets;

"(2) changes in current product characteristics and production and packaging practices which would reduce the amount of solid waste;

"(3) methods of collection, separation, and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse, or disposal of wastes;

"(4) the use of Federal procurement to develop market demand for recovered resources;

"(5) recommended incentives (including Federal grants, loans, and other assistance) and disincentives to accelerate the reclamation or recycling of materials from solid wastes, with special emphasis on motor vehicle hulks;

"(6) the effect of existing public policies, including subsidies and economic incentives and disincentives, percentage depletion allowances, capital gains treatment and other tax incentives and disincentives, upon the recycling and reuse of materials, and the likely effect of the modification or elimination of such incentives and disincentives upon the reuse, recycling, and conservation of such materials; and

"(7) the necessity and method of imposing disposal or other charges on packaging, containers, vehicles, and other manufactured goods, which charges would reflect the cost of final disposal, the value of recoverable components of the item, and any social costs associated with nonrecycling or uncontrolled disposal of such items.

The Secretary shall from time to time, but not less frequently than annually, report the results of such investigation and study to the President and the Congress.

"(b) The Secretary is also authorized to carry out demonstration projects to test and demonstrate methods and techniques developed pursuant to subsection (a).

"(c) Section 204 (b) and (c) shall be applicable to investigations, studies, and projects carried out under this section."

(b) The Solid Waste Disposal Act is amended by redesignating sections 207 through 210 as sections 213 through 216, respectively, and by inserting after section 206 (as so redesignated by subsection (a) of this section) the following new sections:

**"GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING"**

"SEC. 207. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of not to exceed 66⅔ per centum of the cost in the case of an application with respect to an area including only one municipality, and not to exceed 75 per centum of the cost in any other case, of—

"(1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and

"(2) developing and revising solid waste disposal plans as part of regional environmental protection systems for such areas, providing for recycling or recovery of materials from wastes whenever possible and including planning for the reuse of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites.

"(3) developing proposals for projects to be carried out pursuant to section 208 of this Act, or

"(4) planning programs for the removal and processing of abandoned motor vehicle hulks.

"(b) Grants pursuant to this section may be made upon application therefor which—

"(1) designates or establishes a single agency (which may be an interdepartmental agency) as the sole agency for carrying out the purposes of this section for the area involved;

"(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health and welfare, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal and resource recovery programs;

"(3) sets forth plans for expenditure of

such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

"(4) provides for submission of such reports of the activities of the agency in carrying out the purposes of this section, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary; and

"(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

"(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with and not duplicate other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.

**"GRANTS FOR RESOURCE RECOVERY SYSTEMS AND IMPROVED SOLID WASTE DISPOSAL FACILITIES"**

"SEC. 208. (a) The Secretary is authorized to make grants pursuant to this section to any State, municipal, or interstate or intermunicipal agency for the demonstration of resource recovery systems or for the construction of new or improved solid waste disposal facilities.

"(b) (1) Any grant under this section for the demonstration of a resource recovery system may be made only if it (A) is consistent with any plans which meet the requirements of section 207(b) (2) of this Act; (B) is consistent with the guidelines recommended pursuant to section 209 of this Act; (C) is designed to provide areawide resource recovery systems consistent with the purposes of this Act, as determined by the Secretary, pursuant to regulations promulgated under subsection (d) of this section; and (D) provides an equitable system for distributing the costs associated with construction, operation, and maintenance of any resource recovery system among the users of such system.

"(2) The Federal share for any project to which paragraph (1) applies shall not be more than 75 percent.

"(c) (1) A grant under this section for the construction of a new or improved solid waste disposal facility may be made only if—

"(A) a State or interstate plan for solid waste disposal has been adopted which applies to the area involved, and the facility to be constructed (i) is consistent with such plan, (ii) is included in a comprehensive plan for the area involved which is satisfactory to the Secretary for the purposes of this Act, and (iii) is consistent with the guidelines recommended under section 209, and

"(B) the project advances the state of the art by applying new and improved techniques in reducing the environmental impact of solid waste disposal, in achieving recovery of energy or resources, or in recycling useful materials.

"(2) The Federal share for any project to which paragraph (1) applies shall be not more than 50 percent in the case of a project serving an area which includes only one municipality, and not more than 75 percent in any other case.

"(d) (1) The Secretary, within ninety days after the date of enactment of the Resource Recovery Act of 1970, shall promulgate regulations establishing a procedure for awarding grants under this section which—

"(A) provides that projects will be carried out in communities of varying sizes, under such conditions as will assist in solving the community waste problems of urban-industrial centers, metropolitan regions, and



rural areas, under representative geographic and environmental conditions; and

"(B) provides deadlines for submission of, and action on, grant requests.

"(2) In taking action on applications for grants under this section, consideration shall be given by the Secretary (A) to the public benefits to be derived by the construction and the propriety of Federal aid in making such grant; (B) to the extent applicable, to the economic and commercial viability of the project (including contractual arrangements with the private sector to market any resources recovered); (C) to the potential of such project for general application to community solid waste disposal problems; and (D) to the use by the applicant of comprehensive regional or metropolitan area planning.

"(e) A grant under this section—

"(1) may be made only in the amount of the Federal share of (A) the estimated total design and construction costs, plus (B) in the case of a grant to which subsection (b) (1) applies, the first-year operation and maintenance costs;

"(2) may not be provided for land acquisition or (except as otherwise provided in paragraph (1) (B)) for operating or maintenance costs;

"(3) may not be made until the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project (subject to paragraph (1) (B)); and

"(4) may be made subject to such conditions and requirements, in addition to those provided to in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

For purposes of paragraph (1), the non-Federal share may be in any form, including, but not limited to, lands or interests therein needed for the project or personal property or services, the value of which shall be determined by the Secretary.

"(f) (1) Not more than 15 percent of the total of funds authorized to be appropriated under section 216(a) (3) for any fiscal year to carry out this section shall be granted under this section for projects in any one State.

"(2) The Secretary shall prescribe by regulation the manner in which this subsection shall apply to a grant under this section for a project in an area which includes all or part of more than one State.

#### "RECOMMENDED GUIDELINES

"SEC. 209. (a) The Secretary shall, in cooperation with appropriate State, Federal, interstate, regional, and local agencies, allowing for public comment by other interested parties, as soon as practicable after the enactment of the Resource Recovery Act of 1970, recommend to appropriate agencies and publish in the Federal Register guidelines for solid waste recovery, collection, separation, and disposal systems (including systems for private use), which shall be consistent with public health and welfare, and air and water quality standards and adaptable to appropriate land-use plans. Such guidelines shall apply to such systems whether on land or water and shall be revised from time to time.

"(b) (1) The Secretary shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act.

"(2) The Secretary shall issue to appropriate Federal, interstate, regional, and local agencies information on technically feasible solid waste collection, separation, disposal, recycling, and recovery methods, including data on the cost of construction, operation, and maintenance of such methods.

#### "GRANTS OR CONTRACTS FOR TRAINING PROJECTS

"SEC. 210. (a) The Secretary is authorized to make grants to, and contracts with, any eligible organization. For purposes of this section the term 'eligible organization' means a State or interstate agency, a municipality, educational institution, and any other organization which is capable of effectively carrying out a project which may be funded by grant under subsection (b) of this section.

"(b) (1) Subject to the provisions of paragraph (2), grants or contracts may be made to pay all or a part of the costs, as may be determined by the Secretary, of any project operated or to be operated by an eligible organization, which is designed—

"(A) to develop, expand, or carry out a program (which may combine training, education, and employment) for training persons for occupations involving the management, supervision, design, operation, or maintenance of solid waste disposal and resource recovery equipment and facilities; or

"(B) to train instructors and supervisory personnel to train or supervise persons in occupations involving the design, operation, and maintenance of solid waste disposal and resource recovery equipment and facilities.

"(2) A grant or contract authorized by paragraph (1) of this subsection may be made only upon application to the Secretary at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it provides for the same procedures and reports (and access to such reports and to other records) as is required by section 207(b) (4) and (5) with respect to applications made under such section.

"(c) The Secretary shall make a complete investigation and study to determine—

"(1) the need for additional trained State and local personnel to carry out plans assisted under this Act and other solid waste and resource recovery programs;

"(2) means of using existing training programs to train such personnel; and

"(3) the extent and nature of obstacles to employment and occupational advancement in the solid waste disposal and resource recovery field which may limit either available manpower or the advancement of personnel in such field.

He shall report the results of such investigation and study, including his recommendations to the President and the Congress not later than one year after enactment of this Act.

#### "APPLICABILITY OF SOLID WASTE DISPOSAL GUIDELINES TO EXECUTIVE AGENCIES

"SEC. 211. (a) (1) If—

"(A) an Executive agency (as defined in section 105 of title 5, United States Code) has jurisdiction over any real property or facility the operation or administration of which involves such agency in solid waste disposal activities, or

"(B) such an agency enters into a contract with any person for the operation by such person of any Federal property or facility, and the performance of such contract involves such person in solid waste disposal activities,

then such agency shall insure compliance with the guidelines recommended under section 209 and the purposes of this Act in the operation or administration of such property or facility, or the performance of such contract, as the case may be.

"(2) Each Executive agency which conducts any activity—

"(A) which generates solid waste, and

"(B) which, if conducted by a person other than such agency, would require a permit or license from such agency in order to dispose of such solid waste,

shall insure compliance with such guidelines and the purposes of this Act in conducting such activity.

"(3) Each Executive agency which permits the use of Federal property for purposes of disposal of solid waste shall insure compliance with such guidelines and the purposes of this Act in the disposal of such waste.

"(4) The President shall prescribe regulations to carry out this subsection.

"(b) Each Executive agency which issues any license or permit for disposal of solid waste shall, prior to the issuance of such license or permit, consult with the Secretary to insure compliance with guidelines recommended under section 209 and the purposes of this Act.

#### "NATIONAL DISPOSAL SITES STUDY

"SEC. 212. The Secretary shall submit to the Congress no later than two years after the date of enactment of the Resource Recovery Act of 1970, a comprehensive report and plan for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes, including radioactive, toxic chemical, biological, and other wastes which may endanger public health or welfare. Such report shall include: (1) a list of materials which should be subject to disposal in any such site; (2) current methods of disposal of such materials; (3) recommended methods of reduction, neutralization, recovery, or disposal of such materials; (4) an inventory of possible sites including existing land or water disposal sites operated or licensed by Federal agencies; (5) an estimate of the cost of developing and maintaining sites including consideration of means for distributing the short- and long-term costs of operating such sites among the users thereof; and (6) such other information as may be appropriate."

(c) Section 215 of the Solid Waste Disposal Act (as so redesignated by subsection (b) of this section) is amended by striking out the heading thereof and inserting in lieu thereof "GENERAL PROVISIONS"; by inserting "(a)" before "Payments"; and by adding at the end thereof the following:

"(b) No grant may be made under this Act to any private profitmaking organization."

SEC. 105. Section 216 of the Solid Waste Disposal Act (as so redesignated by section 104 of this Act) is amended to read as follows:

"SEC. 216. (a) (1) There are authorized to be appropriated to the Secretary of Health, Education, and Welfare for carrying out the provisions of this Act (including, but not limited to, section 208), not to exceed \$41,500,000 for the fiscal year ending June 30, 1971.

"(2) There are authorized to be appropriated to the Secretary of Health, Education, and Welfare to carry out the provisions of this Act, other than section 208, not to exceed \$72,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$76,000,000 for the fiscal year ending June 30, 1973.

"(3) There are authorized to be appropriated to the Secretary of Health, Education, and Welfare to carry out section 208 of this Act not to exceed \$80,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$140,000,000 for the fiscal year ending June 30, 1973.

"(b) There are authorized to be appropriated to the Secretary of the Interior to carry out this Act not to exceed \$8,750,000 for the fiscal year ending June 30, 1971, not to exceed \$20,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$22,500,000 for the fiscal year ending June 30, 1973. Prior to expending any funds authorized to be appropriated by this subsection,



the Secretary of the Interior shall consult with the Secretary of Health, Education, and Welfare to assure that the expenditure of such funds will be consistent with the purposes of this Act.

"(c) Such portion as the Secretary may determine, but not more than 1 per centum, of any appropriation for grants, contracts, or other payments under any provision of this Act for any fiscal year beginning after June 30, 1970, shall be available for evaluation (directly, or by grants or contracts) of any program authorized by this Act.

"(d) Sums appropriated under this section shall remain available until expended."

## TITLE II—NATIONAL MATERIALS POLICY

SEC. 201. This title may be cited as the "National Materials Policy Act of 1970".

SEC. 202. It is the purpose of this title to enhance environmental quality and conserve materials by developing a national materials policy to utilize present resources and technology more efficiently, to anticipate the future materials requirements of the Nation and the world, and to make recommendations on the supply, use, recovery, and disposal of materials.

SEC. 203. (a) There is hereby created the National Commission on Materials Policy (hereafter referred to as the "Commission") which shall be composed of seven members chosen from Government service and the private sector for their outstanding qualifications and demonstrated competence with regard to matters related to materials policy, to be appointed by the President with the advice and consent of the Senate, one of whom he shall designate as Chairman.

(b) The members of the Commission shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Commission.

SEC. 204. (a) The Commission shall make a full and complete investigation and study for the purpose of developing a national materials policy which shall include, without being limited to, a determination of—

(1) national and international materials requirements, priorities, and objectives, both current and future, including economic projections;

(2) the relationship of materials policy to (A) national and international population size and (B) the enhancement of environmental quality;

(3) recommended means for the extraction, development, and use of materials which are susceptible to recycling, reuse, or self-destruction, in order to enhance environmental quality and conserve materials;

(4) means of exploiting existing scientific knowledge in the supply, use, recovery, and disposal of materials and encouraging further research and education in this field;

(5) means to enhance coordination and cooperation among Federal departments and agencies in materials usage so that such usage might best serve the national materials policy;

(6) the feasibility and desirability of establishing computer inventories of national and international materials requirements, supplies and alternatives; and

(7) which Federal agency or agencies shall be assigned continuing responsibility for the implementation of the national materials policy.

(b) In order to carry out the purposes of this title, the Commission is authorized—

(1) to request the cooperation and assistance of such other Federal departments and agencies as may be appropriate;

(2) to appoint and fix the compensation of such staff personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competition service, and without regard to the provisions of chapter 51 and sub-

chapter III of such title relating to classification and General Schedule pay rates; and

(3) to obtain the services of experts and consultants, in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed \$100 per diem.

(c) The Commission shall submit to the President and to the Congress a report with respect to its findings and recommendations no later than June 30, 1973, and shall terminate not later than ninety days after submission of such report.

(d) Upon request by the Commission, each Federal department and agency is authorized and directed to furnish, to the greatest extent practicable, such information and assistance as the Commission may request.

SEC. 205. When used in this title, the term "materials" means natural resources intended to be utilized by industry for the production of goods, with the exclusion of food.

SEC. 206. There is hereby authorized to be appropriated the sum of \$2,000,000 to carry out the provisions of this title.

And the Senate agree to the same.

JENNINGS RANDOLPH,  
EDMUND S. MUSKIE,  
THOMAS F. EAGLETON,  
J. CALEB BOGGS,  
HOWARD H. BAKER, Jr.,

*Managers on the Part of the Senate.*

HARLEY O. STAGGERS,  
JOHN JARMAN,  
PAUL G. ROGERS,  
WILLIAM L. SPRINGER,  
ANCHER NELSEN,

*Managers on the Part of the House.*

Mr. RANDOLPH. Mr. President, I invite the Senate's attention to the conference report on the Resource Recovery Act of 1970. This legislation, passed by the Senate in early August, represents a dramatic reorientation of the Federal effort in solid waste management.

This bill, H.R. 11833, extends for 3 years and extensively rewrites the Solid Waste Disposal Act of 1965. By shifting the emphasis from conventional waste disposal to the recycling and recovery of materials and energy from solid waste, this act represents an important step toward the alleviation of current solid waste problems and the long-range conservation and protection of the environment.

The Senate and House versions were similar in content and approach. The Senate bill originally was S. 2005, introduced by Senator MUSKIE, chairman of the Subcommittee on Air and Water Pollution, myself, and other members of the Committee on Public Works. The House bill was introduced by Representative PAUL ROGERS. The primary differences were in authorization figures, in the Senate's treatment of the Bureau of Mines involvement in solid waste, and in the contrast between the House's program for the construction of solid waste disposal facilities and the Senate's demonstration of areawide resource recovery systems.

The conference substitute authorizes \$460,750,000 over 3 fiscal years for new and expanded programs under the Solid Waste Disposal Act, as well as \$2 million to support a 2-year study by the National Commission on Materials Policy proposed by Senator Boggs.

The Bureau of Mines in the Department of the Interior would continue its

role in research on metal and mineral solid waste problems, subject to consultation with the Administrator of the Environmental Protection Agency to assure consistency with the purposes of the Solid Waste Disposal Act. The conference substitute authorizes for the Secretary of the Interior \$8.75 million in fiscal year 1971, \$20 million in fiscal year 1972, and \$22.5 in fiscal year 1973.

As reported by the conference, the legislation follows the House and Senate mandate in expanding the basic Federal research program to emphasize resource recovery, and in authorizing in a new section 205 a study of important issues related to recycling. These issues—means of recovering materials and energy, changes in production and packaging practices, including disposal charges, to reduce wastes; the use of Federal procurement to develop market demand for recovered resources; and incentives and disincentives to recycling, including tax policies—were part of a 2-year study in a separate title in the Senate bill. The conference substitute makes it an ongoing study with annual reports. It should be clear that under this language, the Administrator would have authority comparable to that in section 204 to demonstrate at pilot scale any of the fruits of this study.

The conference substitute also provides for an expanded planning grant program which combines the similar language of the two bills. Grants for planning activities would be extended to municipal and intermunicipal agencies, where only State and interstate agencies are presently aided. These grants would include funds to prepare proposals for resource recovery systems demonstration grants and programs for the removal and processing of abandoned motor vehicle hulks. Grants for the implementation of plans, proposed by the House bill, have been dropped. The Federal share of planning grants is 66⅔ percent for single municipalities and 75 percent in all other cases.

The Senate bill proposed to add several sections to the act, which have been adopted in substance by the conference: a program of training grants for personnel in the design, operation, and maintenance of solid waste disposal and resource recovery equipment and facilities; a national disposal sites study; guidelines and technical information on solid waste handling to be published by the Administrator of the Environmental Protection Agency; and a requirement of compliance by Federal facilities and federally licensed activities with these guidelines.

The most important element of the conference report is the treatment of demonstration and construction grants. Rather than stay with a program of demonstrating resource recovery systems, as the Senate proposed, or a categorical construction grant program as in the House bill, the conferees blended the two into a sharply focused program for funding innovations in solid waste management.

The conference substitute authorizes grants for the construction of new or im-



proved solid waste disposal facilities and the demonstration of resource recovery systems. These grants could reach 75 percent of the total design and construction costs, except that a single municipality constructing a facility—rather than a system—could receive only 50 percent. In the system demonstration projects, first-year operation and maintenance costs would also be eligible for funding.

All projects under this combined section 208 approach must be consistent with the guidelines called for by this act and with any planning for the area involved.

The combination of these approaches gives the solid waste disposal program maximum flexibility. Long-term solutions must rely on recycling; immediate improvements can be made in such subsystems as collection, transportation, processing, separation, and recovery or disposal.

In fiscal 1971, the conference substitute authorizes \$41.5 million to carry out this section 208 and the other activities under the act. This will also give the Administrator the greatest possible flexibility to commit as much money as possible in fiscal 1971 for resource recovery systems and solid waste disposal facilities, yet utilize as much as necessary for other functions.

In fiscal year 1972, \$80 million is authorized specifically for section 208 demonstration and construction grants, with \$72 million for other activities. For fiscal 1973, \$140 million is authorized for section 208, and \$76 million for the remainder of the act. Of this money, no more than 15 percent of the authorization for section 208 in any 1 year can be granted in any one State.

Title II of the conference substitute is the amendment Senator Boggs offered originally to the Senate bill. This creates a National Commission on Materials Policy, which would report by June 23, 1973, on future materials requirements, means for the extraction, development and use of materials susceptible to recycling or nonpolluting disposal, and the proper governmental agency to implement the national materials policy it recommends.

Mr. President, this conference report represents a valuable accommodation of the different approaches of the House and Senate. As chairman of the conference and of the Committee on Public Works, I wish to personally and officially stress that we have given an important redirection of the Federal effort in solid waste management from conventional disposal to innovative techniques of management and recycling of resources.

#### STATEMENT BY SENATOR MUSKIE

Mr. President, the knowledgeable chairman of our Subcommittee on Air and Water Pollution is necessarily absent this afternoon.

At the request of the distinguished junior Senator from Maine (Mr. MUSKIE), I ask unanimous consent that there be printed at this point in the RECORD a statement prepared by the Senator from Maine with reference to this matter. The Senator from Maine was one of the conferees.

There being no objection, Senator MUSKIE's statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT OF SENATOR MUSKIE

Mr. President, the conference report on the Resource Recovery Act of 1970 combines the most useful and imaginative approaches to solid waste management included in the House bill, sponsored by Representative Paul Rogers, and the Senate bill, which I initially introduced and which was improved by the Subcommittee on Air and Water Pollution and the Senate Committee on Public Works.

Section 208 of the conference substitute for H.R. 11833 reflects the concern of the Rogers bill for funding innovative solid waste disposal facilities as well as the need to demonstrate areawide resource recovery systems.

Under Section 208 grants would be available to municipalities, States, or interstate or intermunicipal agencies to construct improved solid waste disposal facilities or to demonstrate areawide resource recovery system. An improved solid waste disposal facility is one which advances the state of the art by applying new or improved techniques for reducing the environmental impact of solid waste. These facilities would be eligible for a Federal grant of 50% of the cost of construction in the case of a single municipality and 75% for other projects.

Resource recovery systems are eligible for 75% of the costs of design, construction, and first-year operation and maintenance costs. They must also include a means for distributing the costs among the users of the system.

The conferees authorized \$80 million for fiscal 1972 and \$140 million in fiscal 1973. No more than 15% of the annual authorization could be granted in any one State. While the conference bill does not specifically authorize funds for Section 208 in fiscal 1971, funds are available from the \$41.5 million authorization for Section 208 grants to be allocated among States as demands require.

The total authorization figures in the conference substitute are basically those proposed by Representative Rogers' bill, scaled to what will be needed in fiscal 1971. In addition to the \$41.5 million in fiscal 1971 and the specific sums for section 208, the bill authorizes \$72 million for fiscal 1972 and \$76 million for fiscal 1973 for the remainder of the programs under the Solid Waste Disposal Act.

The Senate bill had eliminated the Act's separate authorization to the Secretary of the Interior for the Bureau of Mine's research in metal and mineral solid waste problems. The conference substitute accepts the position of the House, and authorizes for the Secretary of the Interior \$8.75 million in fiscal 1971, \$20.0 million in fiscal 1972, and \$22.5 million in fiscal 1973, but requires that the Secretary consult with the Administrator of EPA before committing funds to any solid waste disposal project.

Several sections which the Senate bill added to the Act were accepted by the conference. These included a program of training grants, a national disposal sites study, and a requirement for compliance, with solid waste guidelines included in both House and Senate proposals, by Federal facilities and Federally licensed activities.

The language of the House and Senate bills was similar on amendments to the research and planning grants section of the Act. The conference agreement generally follows the House language for planning grants, except to add provision for grants to develop proposals for demonstration and construction grants and provision to plan programs for the removal of abandoned motor vehicles, which the Senate bill proposed. The conference agreement deleted provision for grants for the implementation of plans included in the House bill.

The conference also accepted Title II of the Senate bill, establishing the National Commission on Materials Policy. This was the amendment offered by Senator J. Caleb Boggs. It authorized the Commission to study and report by June 30, 1973 on materials policy and to ascertain which agency of the government should be responsible, on a continuing basis for implementing that policy. The Title includes an authorization of \$2 million.

Senator Jennings Randolph, Chairman of the Senate Committee on Public Works and Chairman of the conference committee, deserves special recognition for his effort both in the formulation of the original Senate bill and in this agreement.

The Resource Recovery Act of 1970 will be a major weapon in the battle against the "third pollution." If adequate funding and manpower are provided for this program important steps can be taken to abate a growing menace to our water, air and land resources. The diseases that inadequate solid waste management foster and the aesthetic blight of litter and dumps can be eliminated.

These are the goals of this legislation. Its importance should be underscored. Once again Congress has taken the lead to deal with a difficult environmental problem. I urge adoption of the conference report.

Mr. BOGGS. Mr. President, will the Senator yield?

Mr. RANDOLPH. Mr. President, I am delighted to yield to the distinguished Senator from Delaware.

Mr. BOGGS. Mr. President, I rise to express my support for the report by the committee on conference on H.R. 11833, the Resource Recovery Act of 1970.

There are numerous aspects of this legislation that are of great importance to the Nation. However, I should like to confine my remarks to two aspects in the legislation.

First, I wish to discuss the funds authorized under section 208 for grants to demonstrate and construct innovative facilities and systems for resource recovery systems and solid waste disposal. No specific sum is authorized for this program during the current fiscal year. This decision was taken due to the uncertainty as to the number of States and cities that could prepare proposals in the remaining few months of fiscal year 1971. A total of \$41,500,000, however, is authorized for the entire bill during fiscal year 1971. I anticipate that the Bureau of Solid Waste Management would seek a significant sum, possibly as much as \$20 million, to support section 208 projects this fiscal year, for section 208 lies at the heart of what this legislation seeks to accomplish.

There is a great need to seek technologically innovative systems and facilities for the purpose of resource recovery and solid waste disposal. The need was amply demonstrated during extensive hearings on the subject by our Committee on Public Works, and I am convinced we must move ahead rapidly on this subject.

In addition, Mr. President, I wish to note title II of this bill. This title appeared in the bill passed by the Senate. It creates a National Commission on Materials Policy to examine and analyze the need for a national materials policy. The committee on conference added to the Senate language a requirement that the Commission make recommendations on which Federal agency is best equipped



to oversee, on a continuing basis, the implementation of the national materials policy once the Commission's activities cease. This directive was implicit in the original Senate bill. Nevertheless, I believe the new language is helpful as it makes this directive more specific.

Again, Mr. President, I wish to commend the members of the committee on conference for their work on this bill. The chairman of the full committee (Mr. RANDOLPH) was particularly effective in his arguments in support of the Senate position. I commend him. I also wish to thank the Members of the House who served on the committee on conference for their most helpful and effective effort in seeking to resolve the differences between our two bills.

This bill, H.R. 11833, should prove to be a landmark in our effort to reduce solid waste and thus enhance our environment, I commend it to my colleagues.

Mr. COOPER. Mr. President, although not a member of the conference committee on the bill, H.R. 11833, the Resource Recovery Act of 1970, as ranking minority member of the Committee on Public Works, I want to commend the Senate conferees for bringing back this important bill in basically the same form as it passed the Senate.

This represents the second major piece of environmental legislation coming from the Committee on Public Works this session, the other being the Water Quality Improvement Act of 1970 signed into law in April. In addition, the committee is presently in conference with the House on the National Ambient Air Quality Standards Act of 1970 which passed the Senate last month.

As the environmental problems grow, the legislative response becomes more difficult and complex and the committee has been steadfastly working toward providing responsive legislation. I expect that when we resume after the elections we will consider water pollution legislation, thus rounding out a very successful and historically significant session of Congress with respect to the environment.

The committee, particularly the chairman, Senator RANDOLPH, the subcommittee chairman, Senator MUSKIE, and Senator BOGGS, the ranking minority member of the Subcommittee on Air and Water Pollution, all of whom served as conferees, and Senators BAKER and EAGLETON, who were also conferees deserve special credit. One of the trademarks of the Committee on Public Works has been the bipartisan nature of its activity and the fact that all members participate fully. Even in these difficult times this pattern has been adhered to and the entire committee stands as an outstanding example of how the legislative process can and should work.

Mr. BAKER. Mr. President, the Senate members of the conference committee on H.R. 11833 have brought back to the Senate a bill which in all substantial respects parallels the bill passed by the Senate on July 31.

As several members of the Committee on Public Works pointed out on the floor when the bill was passed, this is very

important legislation in that it recognizes the urgent needs of the country in the management of solid waste while being, at the same time, fiscally responsible. The conference bill is consistent with these purposes. In only one respect has there been significant change from the Senate version of the bill, and that change results from the incorporation of certain elements of the House bill providing for the construction of new and improved solid waste facilities. There is no intention on the part of the conference committee that this bill be construed as establishing a new categorical grant-in-aid program under which every community in the Nation would be eligible for Federal construction assistance. The bill does provide, however, for Federal assistance designed to stimulate the development of new systems and technology necessary to respond to the growing solid waste crisis. Following the experience gained under this federally assisted research and development program, systems and technology will be available for general application at a later date.

The conference bill is consistent with the report of the Public Works Committee that accompanied the Senate bill. I ask unanimous consent that there be printed at this point in the RECORD pertinent excerpts from that report.

There being no objection, the excerpts from the report were ordered to be printed in the RECORD, as follows:

#### RESOURCE RECOVERY SYSTEMS

After analysis of the completed hearing record on pending solid waste legislation, particularly testimony on Section 208 of the bill, the Committee determined that the authorization of a new unrestricted construction grant program for solid waste disposal is not justified at this time. As the bill reported from the Committee clearly reflects, there is an urgent need to redirect the thrust of waste management from disposal to the maximum recovery of reusable materials and energy. The authorization of a construction grant program at this time could result in a massive commitment to presently available technology oriented towards disposal. To avoid stimulating investment in inadequate technology the Committee has substituted a system demonstration provision for the proposed construction grant provision.

At the same time the Committee recognizes that many communities across the Nation, particularly rural and small municipalities, have severe waste disposal problems, with constraints on past practices of waste management resulting from compliance with air and water quality standards. The cost and administration of disposal techniques such as sanitary land fill and modern incineration are expenses that should be borne by the producers of such waste, whether industrial or residential household.

The Committee does recognize that information regarding technology developed in part pursuant to the Solid Waste Disposal Act of 1965 regarding sanitary landfill and improved incineration has not been generally available to the communities throughout the Nation. Therefore, Section 209(c) of the reported bill would authorize a greatly expanded information dissemination function for the Secretary, so that all areas of the Nation can benefit from knowledge of sound waste management practices and technology currently available.

Consistent with the judgment that the Nation cannot afford merely to dispose of the tremendous volume of material that is gene-

rated by our industrial and consuming society, especially in urban concentrations, and recognizing further that a great deal of research has been done on resources recovery, the Committee has substituted for the construction grant proposal a new program of grants to municipalities to achieve demonstration of resources recovery systems on an areawide basis. This program is designed to stimulate, in the shortest time, the development of systems of technology necessary to manage growing volumes of community wastes and achieve maximum recovery of materials and energy from such wastes.

Throughout the hearings on resources recovery, testimony was received describing various technologies and systems to achieve resources recovery. The Committee believes it is urgent national policy to move these proposals into actual application and operation in as many different areas, from large metropolitan complexes to smaller communities, as necessary to demonstrate innovative and responsive resources recovery systems. Such systems can then be applied, as appropriate, to all areas of the country in which similar problems exist.

The program would provide 75 percent Federal assistance to develop and construct advanced systems of resources recovery in various categories of communities established by the Secretary in order to demonstrate systems applicable in different urban and rural conditions.

It is the Committee's intent that the program authorized shall be one which will, in many respects, parallel the type of research and development procurement conducted by the Department of Defense and the National Aeronautics and Space Administration in the sense that the Secretary is authorized to promulgate regulations describing the categories of systems for which applications will be received, specifying that such applications are to be received by a certain date and further establishing guidelines for review of such applications.

Grants are to be awarded only to those applications which the Secretary finds to be clearly superior with respect to the system of resources recovery proposed, the economics of the system and, the potential for general application for solution of the myriad of waste problems. It should be emphasized that the selection procedure, thereby established is not competition based strictly upon low cost, but rather is competition to stimulate innovative systems, of general application which are both economically and commercially viable and which recover the maximum amount of materials and energy.

The Committee was particularly impressed with testimony received in San Francisco describing a proposed municipal resources recovery system for the San Francisco Peninsula area, and the advanced state of development which that system proposes. The Committee received many other impressive descriptions and displays. It is the Committee's judgment that well researched methods, similar to those described in California, should be given an on-site demonstration application as soon as possible. The Nation can no longer afford to await more study and analysis and must move from the great deal of information presently available to full scale demonstration of recovery systems.

It is expected by the Committee that responsible government officials in municipalities and communities across the country will take advantage of the program proposed in the bill and will develop proposals for the most advanced and responsive systems imaginable, for consideration by the Secretary. The Committee encourages such municipalities to work very closely with relevant private industry talent and resources through contract or otherwise, to develop systems which will provide increased public service in waste management, combined with maximum recovery of materials and energy in



such waste and economic viability through the use of user charges and markets for recovered material and energy.

The Committee looks upon the proposed demonstration grant program as a method of stimulating not just the development of technology and its areawide application, but it will also cause communities to study their own circumstances with respect to waste management. Through such studies, communities will be able to provide better public service to their citizens in the future and be in a position to apply systems that are developed pursuant to these demonstration grants as they become available. The Committee hopes that communities will take immediate advantage of this program, and seeks to encourage that result by Section 207(a) (3) of the reported bill, which would authorize Federal assistance to develop proposals for resource recovery demonstration grants for submission to the Secretary.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

#### COMPREHENSIVE DRUG ABUSE PREVENTION AND CONTROL ACT OF 1970

The Senate resumed the consideration of the bill (H.R. 18583) to amend the Public Health Service Act, and other laws to provide increased research into, and prevention of, drug abuse and drug dependence; to provide for treatment and rehabilitation of drug abusers and drug dependent persons; and to strengthen existing law enforcement authority in the field of drug abuse.

Mr. DODD. Mr. President, I call up my amendment No. 1034 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows: The Senator from Connecticut (Mr. DODD) proposes an amendment as follows:

On page 39, between lines 7 and 8, insert the following and renumber succeeding terms accordingly:

"(4) Chlordiazepoxide.

"(5) Diazepam."

#### TRANQUILIZERS LIBRIUM AND VALIUM

Mr. DODD. Mr. President, I do not think this amendment will take very long. I do not intend to ask for a rollcall vote. I say that because I think the Members of the Senate will agree that this amendment should be agreed to.

Mr. President, I propose an amendment to the pending H.R. 18583 which would add to title II of that bill controls over two widely abused tranquilizers, known in the trade as librium and valium.

I do so because of the fact that when drug legislation passed this body unanimously in January of this year, controls over librium and valium were included in S. 3246, the Controlled Dangerous Substances Act.

The other body dropped from its bill, the pending H.R. 18583, the controls which the Senate included in our bill without controversy during floor debate on the measure.

Since these two drugs have serious addictive propensities, this amendment is introduced to reintroduce the necessary

elements of balance and realistic concern into the legislation.

Drug addiction in the United States has reached frightening proportions.

Appearing before the Subcommittee on Juvenile Delinquency, John Ingersoll, the Director of the Bureau of Narcotics and Dangerous Drugs, said:

The issue of drug abuse and misuse in the United States is one of increasing concern in the minds of so many Americans. It is a problem that is critical and requires congressional attention if we are to meet effectively the challenge it presents to our system of justice. There is little doubt that addiction and drug abuse have reached epidemic proportions over the last several years. No community has been left unscathed. No group within the community has remained untouched. It has permeated all segments of our society and we can now rightfully consider it to be an American dilemma.

The types of drugs abused have grown enormously in the last decade. While the use of narcotics continues to be a growing problem, it is overshadowed by the rapid increase in the use of the amphetamines, the barbiturates, and the hallucinogens, which include marijuana. We must keep in mind that to focus attention solely on today's drug of choice, which is marijuana, would be to miss the central issue. We must examine the total picture to insure that the drug of choice of tomorrow does not create the problems that we face with marijuana today. Therefore, I earnestly request that this subcommittee recognize the fact that it is legislating not just the drug problem of today, but also the prospective drug problems of the 1970's.

While I must express satisfaction that the urgently needed bill finally was passed by the House almost 9 months later, I must also express deep concern, indeed consternation, at the amended version which excludes librium and valium from the regulatory powers of the Department of Justice which will regulate its enforcement.

To understand fully the implication of this amendment, one must go back to the hearings of the Subcommittee on Juvenile Delinquency which were held for 8 days in September and October 1969.

These hearings were certainly among the most extensive and exhaustive ever undertaken by the subcommittee. We heard physicians, psychiatrists, psychologists, people representing the pharmaceutical industry, and executives from the Bureau of Narcotics and Dangerous Drugs.

Almost everybody who testified at these hearings agreed that the new law would be a substantial step toward the control of the increasingly dangerous drug culture in this country. There were, however, a few notable exceptions.

Hoffman-LaRoche, the manufacturers of the tranquilizers known as librium and valium, strenuously objected to the inclusion of their products in the schedule devised under the law. Their allegation was that these drugs were not addictive or even habituating in any sense of the word; that they were not aware of a single case which conclusively proved the addictive or habituating potential of these products.

It is clearly evident, however, that their objection to the inclusion in the law of librium and valium are not so much based on sound medical practice

as they are on the slippery surface of unethical profits.

In one recent year, sales of librium and valium amounted to nearly \$200 million. Given the profit margin in the pharmaceutical industry which amounts to 21 percent, the highest of any industry in this country, the profits thus amount to more than \$40 million, a tidy sum which Hoffman-LaRoche has done a great deal to protect.

Thus the fee reportedly paid by Hoffman-LaRoche to a Washington law firm to lobby the librium-valium provision out of the bill is three times that of the total subcommittee staff budget for this year. No wonder that the Senate first, and then the House, was overrun by Hoffman-LaRoche lobbyists.

During the hearings which we held last year, ample evidence of the addictive qualities of librium and valium was produced.

Their inclusion as controlled drugs was emphatically endorsed by Dr. Roger Egeberg, the then Secretary for Health and Scientific Affairs of Health, Education, and Welfare.

And John Ingersoll, the Director of the Bureau of Narcotics and Dangerous Drugs, testified that a very limited survey, covering 2½ years, showed that 1,353 people attempted suicide using librium or valium, or both; of these, 93 people were successful in their attempts to take their own lives. These drugs simply are not as safe and harmless as the maker makes them out to be.

Perhaps more important still, a survey of pharmacies in only six States: Massachusetts, Rhode Island, New York, Florida, Texas, and California indicated inventory shortages of librium and valium amounting to 753,434 doses.

Traditionally, it is only the addictive drug which is most likely to show shortages, caused by larceny, illegal diversion, and the like. Nobody steals such things as aspirin, or calamine lotion, because these things are useless to the illegal trader or user of habituating drugs.

In this connection, it is important to note the memorandum submitted by the Bureau of Narcotics and Dangerous Drugs, dealing with the two specific drugs, librium and valium, which I would like to introduce into the Record at the conclusion of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

[Due to mechanical limitations, exhibit 1 will appear in a subsequent edition of the RECORD.]

Mr. DODD. Mr. President, apart from the overwhelming statistics which indicate the addictive propensities of librium and valium, there has recently come to light some very interesting information which almost by accident, and certainly unnoticed by the House of Representatives, slipped into the hearings which we held in August to investigate the use of narcotics by our soldiers stationed in Vietnam.

Dr. John K. Imahara, an Army psychiatrist who was stationed in Vietnam last year referred to librium and valium and said:

These tranquilizers are dispensed by doctors . . . in an attempt to help people out,









# DIGEST of Congressional Proceedings

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

For actions of October 13, 1970  
91st-2nd; No. 180

OFFICE OF BUDGET AND FINANCE  
(FOR INFORMATION ONLY;  
NOT TO BE QUOTED OR CITED)

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HIGHLIGHTS: House accepted conference report on farm bill and agreed to Senate amendments to bill revising Federal Aid in Wildlife and Fish Restoration Acts. House committee reported plant variety protection bill and voted to report bill authorizing receipt of gifts for NAL. Rep. Goodling criticized distribution of food stamps to strikers. Senators Dole, Miller and others urged action on Farm Bill Conference report before **recessing** and deplored attempts to keep the report from reaching the floor.

### HOUSE

1. FARM BILL. Accepted the conference report on H.R. 18546, the proposed Agricultural Act of 1970. pp. H10057-62
2. FISH AND WILDLIFE. Agreed to the Senate amendments to H.R. 12475, to revise and clarify the Federal Aid in Wildlife Restoration Act and the Federal Aid in Fish Restoration Act. This bill now goes to the President. p. H10039

3. AGRICULTURE COMMITTEE ACTION.

Reported without amendment S. 3070, the plant variety protection bill. (H. Rept. 91-1605). p. H10092; and

Voted to report (but did not actually report) H.R. 19402, authorizing the receipt of gifts for the benefit of the National Agricultural Library. p. D1145

4. FOOD STAMPS. Rep. Goodling stated the food stamp program "has become distorted" through issuance of stamps to strikers and urged the program be returned to "its proper 'assistance to the needy' form". p. H10083

5. SOLID WASTE DISPOSAL. Agreed to conference report on H.R. 11833, to amend the Solid Waste Disposal Act. This bill now goes to the President. pp. H10066-7

6. OUTLAYS. Received a letter from the Director, Office of Management and Budget, transmitting a report on the operation of the limitation on budget outlays for FY 71, for the period through September 30, 1970, pursuant to section 501 of the Second Supplemental Appropriations Act, 1970 (H.Doc. 91-403); to the Committee on Appropriations. p. H10092

SENATE

7. RECESS. Agreed to H. Con. Res. 774 providing for recess of the Congress from Wednesday, October 14 until Monday, Nov. 16. p. S17950

8. WILDERNESS. Passed with amendment S. 1142, to classify as wilderness national forest land adjacent to the Eagle Cap Wilderness Area known as Minam River Canyon. pp. S17811-12

9. RIVER BASIN COMPACT. Judiciary Committee reported with amendments S. 1079, granting congressional consent to the Susquehanna River Basin Compact (S. Rept. 91-1333). p. S17816

10. FARM BILL. Senators Dole, Miller and others spoke of the need to act on the Farm Bill before the recess and deplored attempts to prevent the Conference Report from coming before the Senate. pp. S17968-74; S17978-83

11. CONSUMER. Sen. Hart placed in the Record the Marketing Conference speech delivered by FTC Commissioner Elman, "The Consumer Movement--And What It Means for Business". pp. S17836-37

BILLS INTRODUCED

12. CONTRACTS. H.R. 19696, by Rep. Foley et al, to authorize the Secretary of Agriculture to enter into negotiated contracts for the protection from fires of lands under the jurisdiction of the Department of Agriculture; to the Committee on Agriculture.



ordinate activities carried on by such departments, agencies, and instrumentalities of the Federal Government as he shall designate with respect to health education aspects of drug abuse; (6) provide technical assistance to State and local health and educational agencies with respect to the establishment and implementation of programs and procedures for public education on drug abuse; and (7) undertake other activities essential to a national program for drug abuse education.

"(c) The Secretary, acting through the National Institute of Mental Health, is authorized to develop and conduct workshops, institutes, and other activities for the training of professional and other personnel to work in the area of drug abuse education.

"(d) To carry out the purposes of this section, there are authorized to be appropriated \$3,000,000 for the fiscal year ending June 30, 1971, \$12,000,000 for the fiscal year ending June 30, 1972, and \$14,000,000 for the fiscal year ending June 30, 1973."

"(d) Such part D is further amended by adding at the end thereof the following new section:

**"SPECIAL PROJECTS FOR NARCOTIC ADDICTS AND DRUG DEPENDENT PERSONS**

"SEC. 256. (a) The Secretary is authorized to make grants to public or non-profit private agencies and organizations to cover a portion of the costs of programs for treatment and rehabilitation of narcotic addicts or drug dependent persons which include one or more of the following: (1) Detoxification services, or (2) institutional services (including medical, psychological, educational, or counseling services) or (3) community-based aftercare services.

"(b) Grants under this section for the costs of any treatment and rehabilitation program—

"(1) may be made only for the period beginning with the first day of the first month for which such a grant is made and ending with the close of eight years after such first day; and

"(2) (A) except as provided in subparagraph (B), may not exceed 80 per centum of such costs for each of the first two years after such first day, 75 per centum of such costs for the third year after such first day, 60 per centum of such costs for the fourth year after such first day, 45 per centum of such costs for the fifth year after such first day, and 30 per centum of such costs for each of the next three years after such first day; and

"(B) In the case of any such program providing services for persons in an area designated by the Secretary as an urban or rural poverty area, such grants may not exceed 90 per centum of such costs for each of the first two years after such first day, 80 per centum of such costs for the third year after such first day, 75 per centum of such costs for the fourth and fifth years after such first day, and 70 per centum of such costs for each of the next three years after such first day.

"(c) No application for a grant authorized by this section shall be approved by the Secretary unless such application is forwarded through the State agency responsible for administering the plan submitted pursuant to section 204 of this Act or, if there be a separate State agency, designated by the Governor as responsible for planning, coordinating, and executing the State's efforts in the treatment and rehabilitation of narcotic addicts and drug dependent persons, through such latter agency, which shall submit to the Secretary such comments as it deems appropriate. No application for a grant under this section for a program to provide services for persons in an area in which is located a facility constructed as a new facility after the date of enactment of this section

with funds provided under a grant under part A or this part shall be approved unless such application contains satisfactory assurance that, to the extent feasible, such program will be included as part of the programs conducted in or through such facility.

"(d) The Secretary shall make grants under this section for projects within the States in accordance with criteria determined by him designed to provide priority for grant applications in States, and in areas within the States, having the higher percentages of population who are narcotic addicts or drug dependent persons.

"(e) There are authorized to be appropriated to carry out this section not to exceed \$20,000,000 for the fiscal year ending June 30, 1971; \$30,000,000 for the fiscal year ending June 30, 1972; and \$35,000,000 for the fiscal year ending June 30, 1973."

**"BROADER TREATMENT AUTHORITY IN PUBLIC HEALTH SERVICE HOSPITALS FOR PERSONS WITH DRUG ABUSE AND OTHER DRUG DEPENDENCE PROBLEMS**

"SEC. 2. (a) Part E of title III of the Public Health Service Act is amended as follows:

"(1) Section 341(a) of such part is amended by adding immediately after 'addicts' the second time it appears the following: 'and other persons with drug abuse and drug dependence problems'.

"(2) (A) Sections 342, 343, 344, and 346 of such part are each amended by inserting 'or other persons with drug abuse and drug dependence problems' immediately after 'addicts' each place it appears in those sections.

"(B) The section heading of section 342 of such part is amended by inserting 'OR OTHER PERSONS WITH DRUG ABUSE AND DRUG DEPENDENCE PROBLEMS' after 'ADDICTS'.

"(3) Sections 343 and 344 of such part are each amended by inserting 'or other person with a drug abuse or other drug dependence problem' immediately after 'addict' each place it appears in those sections.

"(4) Sections 343, 344, and 347 of such part are each amended by inserting ', drug abuse, or drug dependence' immediately after 'addiction' each place it appears in those sections.

"(5) Section 346 of such part is amended by inserting 'or substance controlled under the Controlled Substances Act' immediately after 'habit-forming narcotic drug'.

"(6) The heading for such part is amended to read as follows:

**"PART E—NARCOTIC ADDICTS AND OTHER DRUG ABUSERS"**

"(b) Section 2 of the Public Health Service Act (42 U.S.C. 201) is amended by adding after paragraph (p) the following new paragraph:

"(q) The term 'drug dependent person' means a person who is using a controlled substance (as defined in section 102 of the Controlled Substances Act) and who is in a state of psychic or physical dependence, or both, arising from the use of that substance on a continuous basis. Drug dependence is characterized by behavioral and other responses which include a strong compulsion to take the substance on a continuous basis in order to experience its psychic effects or to avoid the discomfort caused by its absence."

**"RESEARCH UNDER THE PUBLIC HEALTH SERVICE ACT IN DRUG USE, ABUSE, AND ADDICTION**

"SEC. 3. (a) Section 303(a) of the Public Health Service Act (42 U.S.C. 242a(a)) is amended by adding after and below paragraph (2) the following:

"The Secretary may authorize persons engaged in research on the use and effect of drugs to protect the privacy of individuals who are the subject of such research by withholding from all persons not connected with the conduct of such research the names or other identifying character-

istics of such individuals. Persons so authorized to protect the privacy of such individuals may not be compelled in any Federal, State, or local civil, criminal, administrative, legislative, or other proceedings to identify such individuals."

"(b) Section 314(d)(2) of the Public Health Service Act is amended—

"(1) by striking out "and" at the end of subparagraph (I);

"(2) by striking out the period at the end of subparagraph (J) and inserting in lieu thereof "; and"; and

"(3) by adding after subparagraph (J) the following new subparagraph:

"(K) provide for services for the prevention and treatment of drug abuse and drug dependence, commensurate with the extent of the problem."

"(c) Section 507 of The Public Health Service Act (42 U.S.C. 225a) is amended.

"(1) by striking out 'available for research, training, or demonstration project grants pursuant to this Act' and inserting in lieu thereof 'available under this Act for research, training, or demonstration project grants or for grants to expand existing treatment and research programs and facilities for alcoholism, narcotic addiction, drug abuse, and drug dependence, and appropriations available under the Community Mental Health Centers Act for construction and staffing of community mental health centers and alcoholism and narcotic addiction, drug abuse, and drug dependence facilities', and

"(2) by inserting immediately before the period at the end thereof the following: ', except that grants to such Federal institutions may be funded at 100 per centum of the costs'.

**"MEDICAL TREATMENT OF NARCOTIC ADDICTION**

"SEC. 4. The Secretary of Health, Education, and Welfare, after consultation with the Attorney General and with national organizations representative of persons with knowledge and experience in the treatment of narcotic addicts, shall determine the appropriate methods of professional practice in the medical treatment of the narcotic addiction of various classes of narcotic addicts, and shall report thereon from time to time to the Congress."

And the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(c) Unless specifically excepted or unless listed in another schedule, any injectable liquid which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers."

And the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the Amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: Restore the matter stricken out by the Senate amendment with the following amendment: On page 36, line 12, of the House engrossed bill insert "(except an injectable liquid)" after "substance".

And the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19 and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(4) Notwithstanding paragraph (1) (B) of this subsection, any person who violates subsection (a) of this section by distributing a small amount of marijuana for no



remuneration shall be treated as provided in subsections (a) and (b) of section 404."

And the Senate agree to the same.

HARLEY O. STAGGERS,  
JOHN JARMAN,  
PAUL G. ROGERS,  
DAVID E. SATTERFIELD III,  
W. L. SPRINGER,  
ANCHER NELSEN,  
TIM LEE CARTER,

*Managers on the Part of the House.*

HAROLD E. HUGHES,  
RALPH W. YARBOROUGH,  
JENNINGS RANDOLPH,  
JAS. O. EASTLAND,  
JOHN L. MCCLELLAN,  
SAM J. ERVIN, Jr.,  
THOMAS J. DOBB,  
JACOB K. JAVITS,  
PETER H. DOMINICK,  
ROMAN HRUSKA,  
STROM THURMOND,

*Managers on the Part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 18583) to amend the Public Health Service Act and other laws to provide increased research into, and prevention of, drug abuse and drug dependence; to provide for treatment and rehabilitation of drug abusers and drug dependent persons; and to strengthen existing law enforcement authority in the field of drug abuse, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following Senate amendments made technical, clerical, clarifying, and conforming changes: 1, 2, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 20. With respect to these amendments the Senate recedes in order to conform to other action agreed upon by the committee of conference.

Amendment No. 3: The Senate amendment struck out title I of the House passed bill, relating to programs under the Community Mental Health Centers Act, treatment authority in Federal hospitals for drug dependent persons, research under the Public Health Service Act, and medical treatment of narcotic addiction. The Senate amendment substituted for the provisions of title I of the House bill a new program establishing a National Institute for the Prevention and Treatment of Drug Abuse and Drug Dependence, to administer planning, coordination, statistics, research, training, educational, and reporting functions with respect to drug abuse and drug dependence. The amendment would have established programs relating to drug abuse and drug dependence among Federal employees, would have established a program of formula grants and project grants for the States on drug abuse and drug dependence problems; would have established a National Advisory Council, and an Intergovernment Coordinating Council, on drug abuse and drug dependence, and proposed continuation of the programs set forth in the House-passed title I.

The House-passed title I authorized a total of \$164 million in new appropriations, and the Senate amendment authorized a total of \$190 million in new appropriations.

With respect to this amendment, the managers on the part of the House receded with an amendment, restoring the features of the House-passed title I, but with appropriation authorizations totalling \$189 million; requiring the inclusion in State public health comprehensive plans of programs to deal with drug abuse and drug dependence, and increasing the authorization for and scope of project grants for narcotic addicts and drug dependent persons.

There has recently been established in the National Institute of Mental Health a di-

vision charged with the responsibility for administering all programs of the National Institute of Mental Health dealing with drug abuse and drug dependence problems. The managers on the part of the House wish to emphasize their concern that this new division be adequately staffed and funded to meet its growing responsibilities in the field of drug abuse and drug dependence. As is stated in the report of the Committee to the House (House Report 91-1444, page 6) "drug abuse in the United States is a problem of ever-increasing concern, and appears to be approaching epidemic proportions". Strong leadership is necessary to deal with the rehabilitative and prevention aspects of this problem, and the managers on the part of the House feel that this division needs to be aggressive in its action and innovative in its approaches.

A number of new concepts were presented in the Senate amendment, and the managers on the part of the House felt that, although hearings had been held before the Senate Committee on Labor and Public Welfare on this subject, it was desirable that hearings be held on the House side to explore the many ramifications of this problem. It is intended by the House managers that hearings will be held on legislation in this area during the next Congress.

The substitute agreed to also incorporates provisions contained in the Senate amendment providing for the inclusion in State comprehensive health plans of provision for services for the prevention and treatment of drug abuse and drug dependence commensurate with the extent of the problem.

The Senate amendment would have established a program of project grants with authorizations totalling \$135 million for programs for prevention and treatment of drug abuse and drug dependence, including educational projects and services. The House bill authorized \$29 million for educational programs, and a total of \$60 million for special project grants, in this area.

The conference agreement authorizes \$29 million in funds for drug abuse education programs, with \$4 million of the funds authorized for fiscal year 1971 transferred to fiscal years 1972 and 1973. It also authorizes an expanded program of special projects for drug dependent persons at a total authorization of \$85 million over three years. This program contains a requirement that where programs of limited scope are established under the amendment and new facilities serving the same area are constructed hereafter, to the extent feasible the programs established hereunder will be consolidated with the programs of the newly constructed facilities.

The reference to a facility "newly constructed" after the enactment of section 256 of the Community Mental Health Centers Act (added by this title of the bill) is intended not only to exclude facilities constructed before the enactment of the section but also to make clear that, notwithstanding the definition of "construction" in section 401(e) of the Mental Retardation Facility and Community Mental Health Centers Act of 1963 (42 U.S.C. 2691(e)), the requirement does not apply with respect to a structure existing before such enactment merely because of its having been acquired, expanded, remodeled, or altered after enactment with the aid of a grant under part A or part D of such Act.

The Senate amendment would also have listed as the types of services which could be provided under programs set forth in the bill intermediate care services, outpatient services, and prevention, treatment, and rehabilitation services (including but not limited to telephone counselling and information services, informal, open-admission facilities for support, guidance, referral, and other facilities) for drug dependent persons, primarily organized and operated by persons from similar social, cultural, and age

backgrounds as the person served, in community based and easily accessible facilities. The managers on the part of the House felt that the existing authority of community mental health centers, and the program for narcotic addicts and drug dependent persons contained in the House-passed bill, are broad enough in their scope to include programs such as those referred to above.

Amendments Nos. 4 and 5: These amendments proposed to transfer all amphetamines, phenmetrazine, and methylphenidate from schedule III to schedule II, thereby imposing stricter requirements for licensing of manufacturers, quota requirements, order forms, and other tighter controls, together with restrictions on the refilling of prescriptions, on these drugs.

The conference substitute limits this transfer to schedule II to liquid injectable methamphetamine, widely referred to as "speed". The legislation contains authority for the Attorney General to transfer drugs between schedules, upon making the appropriate findings and following the procedures prescribed in the legislation. It is the understanding of the managers that proceedings will be initiated involving a number of drugs containing amphetamines after the legislation has become law, but exceptions will be made for a number of amphetamine-containing drugs.

Amendment No. 9: The Senate amendment proposed to insert in schedule IV the following drugs: Chlordiazepoxide and Diazepam. Administrative proceedings for the control of these drugs were initiated in 1966, and final administrative action is scheduled to be taken within a matter of weeks. Section 702(c) of the bill provides that, if, upon the completion of these proceedings (including judicial review), these drugs are listed for control, they shall automatically be included within the coverage of the bill and placed in the appropriate schedule.

With respect to this amendment, the Senate recedes.

Amendment No. 19: This amendment provided that any person who distributed a small amount of marihuana for no remuneration should be subject to the penalties provided for simple possession of marihuana for personal use. The managers on the part of the House receded with a clarifying amendment.

Amendment No. 21: This amendment provides that not later than March 31 of each calendar year the Secretary of Health, Education, and Welfare shall submit to the Committee on Labor and Public Welfare of the Senate and the Committee on Interstate and Foreign Commerce of the House a report on the activities of advisory councils established or organized pursuant to the Public Health Service Act, or the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963.

With respect to this amendment, the House recedes.

HARLEY O. STAGGERS,  
JOHN JARMAN,  
PAUL G. ROGERS,  
DAVID E. SATTERFIELD III,  
W. L. SPRINGER,  
ANCHER NELSEN,  
TIM LEE CARTER,

*Managers on the Part of the House.*

#### CONFERENCE REPORT ON H.R. 11833, RESOURCE RECOVERY ACT OF 1970

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes, and ask unani-



mous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of Oct. 7, 1970.)

Mr. STAGGERS (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers be considered as read.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The SPEAKER. The gentleman from West Virginia is recognized for 1 hour.

(Mr. STAGGERS asked and was given permission to revise and extend his remarks.)

Mr. STAGGERS. Mr. Speaker, this legislation passed the House on June 23, 1970, by a vote of 377 to 0. The Members of the House will be glad to learn that the Members of the other body have already agreed to accept four of the most important features of the Resource Recovery Act of 1960, as passed by the House.

First, the program will be limited to a 3-year period—fiscal years 1971, 1972, and 1973—instead of a 4-year period as called for in the bill originally passed by the other body. This shorter period will give the Congress an opportunity to review the program after it has been operating for about 2 years before deciding whether it should be extended in its present form or modified in some respects.

Second, the other body accepted the appropriation authorizations provided for in the House bill for fiscals 1972 and 1973, but agreement was reached to cut appropriations for fiscal year 1971 by 50 percent. This is justified in view of the fact that only approximately 6 months are still left of the present fiscal year, and therefore, few if any funds are likely to be needed to pay for major construction projects that would be authorized by this legislation.

Third, the other body agreed to authorize construction grants for new or improved solid waste disposal facilities. Such projects must advance the state of the art by applying new and improved techniques designed to reduced the environmental impact of solid waste disposal, to achieve recovery of energy or resources or to recycle useful materials. The projects would be carried out in communities of varying sizes in order to assure that the state of the art be developed so as to solve community waste problems of urban-industrial centers, metropolitan regions as well as rural areas, under representative geographic and environmental conditions.

Fourth, the bill agreed to by the conferees would retain the present authority of the Secretary of the Interior with regard to solid waste disposal research related to fossil fuels and minerals as was provided in the House bill. The bill

as passed by the other body would have eliminated this separate authority and placed responsibility for all solid waste activities in the Secretary of Health, Education, and Welfare.

The House conferees have agreed to accept provisions which were contained in the bill as passed by the other body and which provide for the following:

Demonstration grants for resource recovery systems,

Grants for training of personnel,

A national disposal sites study, and

The creation of a temporary National Commission on Materials Policy.

I firmly believe that the bill agreed to by the conferees constitutes an improvement over the bills passed by the two bodies, and I urge Members of the House to approve the conference report. In so doing we shall take an important step in advancing the handling of solid waste in this country. The increasing amounts of solid waste present difficult problems for our citizens throughout the country regardless of the size of the communities in which they live. These problems must be tackled energetically and the legislation before us will make this possible.

Mr. Speaker, I yield such time as he may use to the gentleman from Illinois (Mr. SPRINGER).

(Mr. SPRINGER asked and was given permission to revise and extend his remarks.)

Mr. SPRINGER. Mr. Speaker, this is what would be known in better parlance as the Solid Waste Disposal Act of 1970. It was debated at great length on the floor as to how we would go about handling solid wastes of all kinds. I will admit that most of this problem occurs in the cities. I am talking about the towns of 20,000 to 25,000 on up to those with millions of people. I do not mean that it is of no importance in communities of less than that, because I think we will be able to adapt some of these recycling devices which we are experimenting with now for use in communities of all sizes. However, it is in the larger cities that we are having the most argument on how to cope with this problem.

I believe that we made what I deem to be a fair compromise with the Senate. This is substantially the House bill. We did keep the emphasis on improvement. In other words, if a grant is made, then that amount of money must be spent in an effort to improve a technique already in existence. We have not yet reached the point where we are making grants to communities to follow on with what somebody else has done but are still in the experimental stage of making grants in order to improve systems. We are not making grants to copy systems already in existence.

Mr. Speaker, we made only one change in this whole effort. The change was that if there is a grant made to improve an existing system, then they could install the existing system if they had an effort made also to improve on that system and make it show that through that effort it would be done.

The authorization is \$48.25 million less than it was when it left the House.

I believe we made a good compromise

with the Senate. I believe this is a good conference report and ought to be approved.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I will be glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I wanted to ask the distinguished gentleman, my colleague from Illinois, if he can confirm the statement that in this conference report there is no delegation of the powers of the Congress and that anything added by the other body is germane? The gentleman has already confirmed the fact that there is no increase in cost. In fact, there is a decrease.

Mr. SPRINGER. The gentleman is correct. There is no extraneous matter in this conference report.

Mr. STAGGERS. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. ROGERS).

(Mr. ROGERS of Florida asked and was given permission to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, I rise to urge the House to adopt the conference report on H.R. 11813, the Solid Waste Disposal Act.

All too little attention has been given to the problem of land misuse and the resulting spoilage of our environment because of the mismanaged and obsolete disposal of our solid waste.

Despite the enormous amount of solid waste we annually produce, we have been overlooking the eventual consequences that will result if we do not halt the present practice of dumping our garbage and other wastes in dumps and other such areas.

In H.R. 11813 I think we have preserved the main points in the House bill. We give the main thrust of the legislation to finding new and innovative methods of disposing of our solid waste and at the same time put this theory, if sound, to practical use through construction grants to the States and municipalities.

I think that this bill will prove to be the first step of significance in bringing into control the mountains of waste which we, as an affluent, user-Nation are producing. Of course the main object is to produce some type of recycling which will allow us to become more complete users and thus eliminate waste altogether.

I hope that my colleagues will join with me and the committee in voting for passage of the conference report with the same enthusiasm as when this House passed the original bill.

Mr. STAGGERS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### CONFERENCE REPORT ON S. 2846, DEVELOPMENTAL DISABILITIES

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (S. 2846) to assist the States in developing a plan for the provision of comprehensive services to persons affected by men-



tal retardation and other developmental disabilities originating in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 8, 1970.)

Mr. STAGGERS. Mr. Speaker, I yield myself such time as I may consume.

(Mr. STAGGERS asked and was given permission to revise and extend his remarks.)

Mr. STAGGERS. Mr. Speaker, the conference report presently before the House is a continuation and expansion of the program initially established in 1963 of grants for the construction and staffing of facilities designed to deal on a broad basis with the serious problem of mental retardation.

The 1963 legislation provided for the establishment of three types of facilities; regional research facilities, university affiliated facilities, and State and local facilities. A number of regional facilities have been constructed, or are in the process of being constructed for broad scale research into the causes and treatment of mental retardation. In addition, a number of university affiliated facilities have been constructed, or are under construction, to provide for the training of researchers, and of persons to work with the retarded. The third program involves construction of facilities for the care of the mentally retarded, and in 1965 this program was expanded to include grants for the staffing of this latter type of facilities.

At the time the 1963 legislation was passed, it was understood that research and training grants through the National Institutes of Health, would provide substantial funding for the staffing and operation of the regional research facilities and the university affiliated facilities.

The bill we are presently considering will continue and expand this 1963 program so as to provide assistance for facilities and programs designed to serve the needs of persons having disabilities requiring treatment similar to that required for the mentally retarded. The program will hereafter cover persons suffering from developmental disabilities which, in addition to mental retardation, can include cerebral palsy, epilepsy, or other types of neurological handicapping conditions.

The Senate bill authorized for this program a total of \$375 million over a 3-year period. The House bill provided a total of \$250 million, and the conference substitute authorizes \$295 million for this purpose.

Under the conference agreement, these sums are allocated to the States accord-

ing to a formula based upon their population, need, and need for facilities. The available funds can be used for construction, with Federal matching grants up to two-thirds of the cost, except in poverty areas, where the matching can be up to 90 percent. In the case of services for the developmentally disabled, the conference agreement provides Federal matching on a declining basis, with 75 percent being available for two fiscal years, declining to 70 percent for the third year, except in the case of poverty areas, where the Federal matching for projects may be up to 90 percent for 2 years, and 80 percent for the third year. We expect to take another look at this program in 3 years to determine what future modifications may be required in this formula.

Both bills, and the conference agreement, provide for continuation of the authorization for the program of matching grants for construction of university affiliated facilities, and the House version of the legislation providing authority for grants for demonstration and training facilities was accepted by the conferees, including the priority set out in the House bill for programs at facilities which are operated by or in conjunction with a college or junior college.

Mr. Speaker, the conferees were unanimous in agreeing to the conference report presently before the House, and we recommend its adoption.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois.

(Mr. SPRINGER asked and was given permission to revise and extend his remarks.)

Mr. SPRINGER. This has to do, may I say to my colleagues in its irreducible form, to the Mental Retardation Act. However, we use the words "Developmental Disabilities Services and Facilities Construction Amendments of 1970." This is simply an extension and improvement upon the Mental Retardation Act which we have passed in recent years.

Now, some of you have had occasion in your community to know about the operation of this program, and you know what is accomplished by having a mental retardation center in your community.

Four weeks ago last Sunday I dedicated one of these facilities in Cairo, Ill., and 2 weeks ago Saturday I dedicated one in Charleston, Ill., the site of Eastern Illinois University.

Mr. Speaker, unless one actually sees a mental retardation center in action, it is impossible to convey to others what is going on there. These are usually modern facilities. I would not say they have anything fancy about them, but they are doing a job in the communities in which they are located.

May I say to my colleagues who have in mind locating something like this in your own community, the Federal share is substantial. The Federal share is two-thirds on construction and if it happens to be a poverty area it is 90 percent.

On other projects for staffing it is 75, 75, and 70 percent over a 3-year period. In the poverty areas it is 90, 90, and 90 percent. So we have taken into consideration those communities which we feel are better able to help provide these facilities than in poverty areas where we realize it is almost impossible to obtain local assistance.

Now, may I come to the funding, and this is one where we split with the Senate, but I think the House came out very well.

The authorization as finally approved is \$45 million more than the House figure, but it is \$80 million less than the Senate figure. So if you want to calculate the difference between the House and the Senate those are the exact figures. I believe we made a good compromise. Every single one of these issues was discussed at great length so that there was no misunderstanding about the future of the program or the needs of the program, and I believe the conference report ought to be approved.

Mr. STAGGERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida, Mr. ROGERS.

Mr. ROGERS of Florida. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I urge the adoption also of this conference report.

(Mr. ROGERS of Florida asked and was given permission to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, for the major part of this decade, since President Kennedy first proposed the original program, the Congress has kept pace with its responsibility to those of our citizens who have suffered from a mental retardation.

The House Subcommittee on Public Health has, in renewing and extending this legislation, S. 2846, expanded the coverage to others who are suffering from developmental disabilities originating in childhood. This includes such disabilities as epilepsy, cerebral palsy, and other neurological disorders which now afflict between 8.5 and 10 million Americans.

Those who are eligible for help under this program are so because of the similarity of treatment which is needed.

This legislation which I had the honor of sponsoring in the House provides construction moneys and for staffing and services.

We are encouraging the States to develop and implement a comprehensive and continuing plan for meeting the current and future needs for services to these people with disabilities.

If we adopt this program and expand it to include others who are now in need, I think we will continue to meet our responsibility to helping our less fortunate citizens. I urge the adoption of the conference report.

Mr. STAGGERS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.











Public Law 91-512  
91st Congress, H. R. 11833  
October 26, 1970

## An Act

To amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Resource Recovery Act of 1970".

Resource Recov-  
ery Act of 1970.

### TITLE I—RESOURCE RECOVERY

SEC. 101. Section 202(b) of the Solid Waste Disposal Act is amended to read as follows:

79 Stat. 997.  
42 USC 3251.

"(b) The purposes of this Act therefore are—

"(1) to promote the demonstration, construction, and application of solid waste management and resource recovery systems which preserve and enhance the quality of air, water, and land resources;

"(2) to provide technical and financial assistance to States and local governments and interstate agencies in the planning and development of resource recovery and solid waste disposal programs;

84 STAT. 1227  
84 STAT. 1228

"(3) to promote a national research and development program for improved management techniques, more effective organizational arrangements, and new and improved methods of collection, separation, recovery, and recycling of solid wastes, and the environmentally safe disposal of nonrecoverable residues;

"(4) to provide for the promulgation of guidelines for solid waste collection, transport, separation, recovery, and disposal systems; and

"(5) to provide for training grants in occupations involving the design, operation, and maintenance of solid waste disposal systems."

SEC. 102. Section 203 of the Solid Waste Disposal Act is amended by inserting at the end thereof the following:

Definitions.  
42 USC 3252.

"(7) The term 'municipality' means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law with responsibility for the planning or administration of solid waste disposal, or an Indian tribe.

"(8) The term 'intermunicipal agency' means an agency established by two or more municipalities with responsibility for planning or administration of solid waste disposal.

"(9) The term 'recovered resources' means materials or energy recovered from solid wastes.

"(10) The term 'resource recovery system' means a solid waste management system which provides for collection, separation, recycling, and recovery of solid wastes, including disposal of nonrecoverable waste residues."

SEC. 103. (a) Section 204(a) of the Solid Waste Disposal Act is amended to read as follows:

Research,  
authority of  
Secretary.  
42 USC 3253.

"SEC. 204. (a) The Secretary shall conduct, and encourage, cooperate with, and render financial and other assistance to appropriate public (whether Federal, State, interstate, or local) authorities, agencies, and institutions, private agencies and institutions, and individuals in the

conduct of, and promote the coordination of, research, investigations, experiments, training, demonstrations, surveys, and studies relating to—

“(1) any adverse health and welfare effects of the release into the environment of material present in solid waste, and methods to eliminate such effects;

“(2) the operation and financing of solid waste disposal programs;

“(3) the reduction of the amount of such waste and unsalvageable waste materials;

“(4) the development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering materials and energy from solid wastes; and

“(5) the identification of solid waste components and potential materials and energy recoverable from such waste components.”

(b) Section 204(d) of the Solid Waste Disposal Act is repealed.

SEC. 104. (a) The Solid Waste Disposal Act is amended by striking out section 206, by redesignating section 205 as 206, and by inserting after section 204 the following new section:

“SPECIAL STUDY AND DEMONSTRATION PROJECTS ON RECOVERY OF USEFUL ENERGY AND MATERIALS

“SEC. 205. (a) The Secretary shall carry out an investigation and study to determine—

“(1) means of recovering materials and energy from solid waste, recommended uses of such materials and energy for national or international welfare, including identification of potential markets for such recovered resources, and the impact of distribution of such resources on existing markets;

“(2) changes in current product characteristics and production and packaging practices which would reduce the amount of solid waste;

“(3) methods of collection, separation, and containerization which will encourage efficient utilization of facilities and contribute to more effective programs of reduction, reuse, or disposal of wastes;

“(4) the use of Federal procurement to develop market demand for recovered resources;

“(5) recommended incentives (including Federal grants, loans, and other assistance) and disincentives to accelerate the reclamation or recycling of materials from solid wastes, with special emphasis on motor vehicle hulks;

“(6) the effect of existing public policies, including subsidies and economic incentives and disincentives, percentage depletion allowances, capital gains treatment and other tax incentives and disincentives, upon the recycling and reuse of materials, and the likely effect of the modification or elimination of such incentives and disincentives upon the reuse, recycling, and conservation of such materials; and

“(7) the necessity and method of imposing disposal or other charges on packaging, containers, vehicles, and other manufactured goods, which charges would reflect the cost of final disposal, the value of recoverable components of the item, and any social costs associated with nonrecycling or uncontrolled disposal of such items.

The Secretary shall from time to time, but not less frequently than annually, report the results of such investigation and study to the President and the Congress.

Repeal.  
79 Stat. 999.  
42 USC 3253.  
42 USC 3255,  
3254.

84 STAT. 1228  
84 STAT. 1229

Report to  
President and  
Congress.



"(b) The Secretary is also authorized to carry out demonstration projects to test and demonstrate methods and techniques developed pursuant to subsection (a). Demonstration projects.

"(c) Section 204 (b) and (c) shall be applicable to investigations, studies, and projects carried out under this section." 79 Stat. 998.  
42 USC 3253.

(b) The Solid Waste Disposal Act is amended by redesignating sections 207 through 210 as sections 213 through 216, respectively, and by inserting after section 206 (as so redesignated by subsection (a) of this section) the following new sections: 82 Stat. 1013.  
42 USC 3256-  
3259.

"GRANTS FOR STATE, INTERSTATE, AND LOCAL PLANNING

"SEC. 207. (a) The Secretary may from time to time, upon such terms and conditions consistent with this section as he finds appropriate to carry out the purposes of this Act, make grants to State, interstate, municipal, and intermunicipal agencies, and organizations composed of public officials which are eligible for assistance under section 701(g) of the Housing Act of 1954, of not to exceed 66 $\frac{2}{3}$  per centum of the cost in the case of an application with respect to an area including only one municipality, and not to exceed 75 per centum of the cost in any other case, of— 82 Stat. 530.  
40 USC 461.  
Cost limitation.

"(1) making surveys of solid waste disposal practices and problems within the jurisdictional areas of such agencies and

"(2) developing and revising solid waste disposal plans as part of regional environmental protection systems for such areas, providing for recycling or recovery of materials from wastes whenever possible and including planning for the reuse of solid waste disposal areas and studies of the effect and relationship of solid waste disposal practices on areas adjacent to waste disposal sites, 84 STAT. 1229  
84 STAT. 1230

"(3) developing proposals for projects to be carried out pursuant to section 208 of this Act, or

"(4) planning programs for the removal and processing of abandoned motor vehicle hulks.

"(b) Grants pursuant to this section may be made upon application therefor which—

"(1) designates or establishes a single agency (which may be an interdepartmental agency) as the sole agency for carrying out the purposes of this section for the area involved;

"(2) indicates the manner in which provision will be made to assure full consideration of all aspects of planning essential to areawide planning for proper and effective solid waste disposal consistent with the protection of the public health and welfare, including such factors as population growth, urban and metropolitan development, land use planning, water pollution control, air pollution control, and the feasibility of regional disposal and resource recovery programs;

"(3) sets forth plans for expenditure of such grant, which plans provide reasonable assurance of carrying out the purposes of this section;

"(4) provides for submission of such reports of the activities of the agency in carrying out the purposes of this section, in such form and containing such information, as the Secretary may from time to time find necessary for carrying out the purposes of this section and for keeping such records and affording such access thereto as he may find necessary; and

"(5) provides for such fiscal-control and fund-accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the agency under this section.

"(c) The Secretary shall make a grant under this section only if he finds that there is satisfactory assurance that the planning of solid waste disposal will be coordinated, so far as practicable, with and not duplicate other related State, interstate, regional, and local planning activities, including those financed in part with funds pursuant to section 701 of the Housing Act of 1954.

82 Stat. 526.  
40 USC 461.

"GRANTS FOR RESOURCE RECOVERY SYSTEMS AND IMPROVED SOLID WASTE DISPOSAL FACILITIES

"SEC. 208. (a) The Secretary is authorized to make grants pursuant to this section to any State, municipal, or interstate or intermunicipal agency for the demonstration of resource recovery systems or for the construction of new or improved solid waste disposal facilities.

"(b) (1) Any grant under this section for the demonstration of a resource recovery system may be made only if it (A) is consistent with any plans which meet the requirements of section 207(b) (2) of this Act; (B) is consistent with the guidelines recommended pursuant to section 209 of this Act; (C) is designed to provide areawide resource recovery systems consistent with the purposes of this Act, as determined by the Secretary, pursuant to regulations promulgated under subsection (d) of this section; and (D) provides an equitable system for distributing the costs associated with construction, operation, and maintenance of any resource recovery system among the users of such system.

"(2) The Federal share for any project to which paragraph (1) applies shall not be more than 75 percent.

"(c) (1) A grant under this section for the construction of a new or improved solid waste disposal facility may be made only if—

"(A) a State or interstate plan for solid waste disposal has been adopted which applies to the area involved, and the facility to be constructed (i) is consistent with such plan, (ii) is included in a comprehensive plan for the area involved which is satisfactory to the Secretary for the purposes of this Act, and (iii) is consistent with the guidelines recommended under section 209, and

"(B) the project advances the state of the art by applying new and improved techniques in reducing the environmental impact of solid waste disposal, in achieving recovery of energy or resources, or in recycling useful materials.

"(2) The Federal share for any project to which paragraph (1) applies shall be not more than 50 percent in the case of a project serving an area which includes only one municipality, and not more than 75 percent in any other case.

"(d) (1) The Secretary, within ninety days after the date of enactment of the Resource Recovery Act of 1970, shall promulgate regulations establishing a procedure for awarding grants under this section which—

"(A) provides that projects will be carried out in communities of varying sizes, under such conditions as will assist in solving the community waste problems of urban-industrial centers, metropolitan regions, and rural areas, under representative geographic and environmental conditions; and

"(B) provides deadlines for submission of, and action on, grant requests.

"(2) In taking action on applications for grants under this section, consideration shall be given by the Secretary (A) to the public benefits to be derived by the construction and the propriety of Federal aid in making such grant; (B) to the extent applicable, to the economic and commercial viability of the project (including contractual

Federal  
share,  
limitation.

84 STAT. 1230  
84 STAT. 1231

Regulations.



arrangements with the private sector to market any resources recovered); (C) to the potential of such project for general application to community solid waste disposal problems; and (D) to the use by the applicant of comprehensive regional or metropolitan area planning.

“(e) A grant under this section—

“(1) may be made only in the amount of the Federal share of (A) the estimated total design and construction costs, plus (B) in the case of a grant to which subsection (b) (1) applies, the first-year operation and maintenance costs;

“(2) may not be provided for land acquisition or (except as otherwise provided in paragraph (1) (B) for operating or maintenance costs;

“(3) may not be made until the applicant has made provision satisfactory to the Secretary for proper and efficient operation and maintenance of the project (subject to paragraph (1) (B)); and

“(4) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

For purposes of paragraph (1), the non-Federal share may be in any form, including, but not limited to, lands or interests therein needed for the project or personal property or services, the value of which shall be determined by the Secretary.

“(f) (1) Not more than 15 percent of the total of funds authorized to be appropriated under section 216 (a) (3) for any fiscal year to carry out this section shall be granted under this section for projects in any one State.

Limitation.  
Post, p. 1234.

“(2) The Secretary shall prescribe by regulation the manner in which this subsection shall apply to a grant under this section for a project in an area which includes all or part of more than one State.

Regulation.

84 STAT. 1231  
84 STAT. 1232

#### “RECOMMENDED GUIDELINES

“SEC. 209. (a) The Secretary shall, in cooperation with appropriate State, Federal, interstate, regional, and local agencies, allowing for public comment by other interested parties, as soon as practicable after the enactment of the Resource Recovery Act of 1970, recommend to appropriate agencies and publish in the Federal Register guidelines for solid waste recovery, collection, separation, and disposal systems (including systems for private use), which shall be consistent with public health and welfare, and air and water quality standards and adaptable to appropriate land-use plans. Such guidelines shall apply to such systems whether on land or water and shall be revised from time to time.

Publication in  
Federal Register.

“(b) (1) The Secretary shall, as soon as practicable, recommend model codes, ordinances, and statutes which are designed to implement this section and the purposes of this Act.

“(2) The Secretary shall issue to appropriate Federal, interstate, regional, and local agencies information on technically feasible solid waste collection, separation, disposal, recycling, and recovery methods, including data on the cost of construction, operation, and maintenance of such methods.

#### “GRANTS OR CONTRACTS FOR TRAINING PROJECTS

“SEC. 210. (a) The Secretary is authorized to make grants to, and contracts with, any eligible organization. For purposes of this section the term ‘eligible organization’ means a State or interstate agency, a municipality, educational institution, and any other organization which is capable of effectively carrying out a project which may be funded by grant under subsection (b) of this section.

“Eligible  
organization.”

"(b) (1) Subject to the provisions of paragraph (2), grants or contracts may be made to pay all or a part of the costs, as may be determined by the Secretary, of any project operated or to be operated by an eligible organization, which is designed—

"(A) to develop, expand, or carry out a program (which may combine training, education, and employment) for training persons for occupations involving the management, supervision, design, operation, or maintenance of solid waste disposal and resource recovery equipment and facilities; or

"(B) to train instructors and supervisory personnel to train or supervise persons in occupations involving the design, operation, and maintenance of solid waste disposal and resource recovery equipment and facilities.

"(2) A grant or contract authorized by paragraph (1) of this subsection may be made only upon application to the Secretary at such time or times and containing such information as he may prescribe, except that no such application shall be approved unless it provides for the same procedures and reports (and access to such reports and to other records) as is required by section 207(b) (4) and (5) with respect to applications made under such section.

"(c) The Secretary shall make a complete investigation and study to determine—

"(1) the need for additional trained State and local personnel to carry out plans assisted under this Act and other solid waste and resource recovery programs;

"(2) means of using existing training programs to train such personnel; and

"(3) the extent and nature of obstacles to employment and occupational advancement in the solid waste disposal and resource recovery field which may limit either available manpower or the advancement of personnel in such field.

He shall report the results of such investigation and study, including his recommendations to the President and the Congress not later than one year after enactment of this Act.

"APPLICABILITY OF SOLID WASTE DISPOSAL GUIDELINES TO EXECUTIVE AGENCIES

"SEC. 211. (a) (1) If—

"(A) an Executive agency (as defined in section 105 of title 5, United States Code) has jurisdiction over any real property or facility the operation or administration of which involves such agency in solid waste disposal activities, or

"(B) such an agency enters into a contract with any person for the operation by such person of any Federal property or facility, and the performance of such contract involves such person in solid waste disposal activities,

then such agency shall insure compliance with the guidelines recommended under section 209 and the purposes of this Act in the operation or administration of such property or facility, or the performance of such contract, as the case may be.

"(2) Each Executive agency which conducts any activity—

"(A) which generates solid waste, and

"(B) which, if conducted by a person other than such agency, would require a permit or license from such agency in order to dispose of such solid waste,

shall insure compliance with such guidelines and the purposes of this Act in conducting such activity.

"(3) Each Executive agency which permits the use of Federal property for purposes of disposal of solid waste shall insure compliance

Ante, p. 1230.

Study.

84 STAT. 1232

84 STAT. 1233

Report to  
President  
and Congress.

80 Stat. 379.

Compliance.



with such guidelines and the purposes of this Act in the disposal of such waste.

"(4) The President shall prescribe regulations to carry out this subsection.

Presidential  
regulations.

"(b) Each Executive agency which issues any license or permit for disposal of solid waste shall, prior to the issuance of such license or permit, consult with the Secretary to insure compliance with guidelines recommended under section 209 and the purposes of this Act.

#### "NATIONAL DISPOSAL SITES STUDY

"SEC. 212. The Secretary shall submit to the Congress no later than two years after the date of enactment of the Resource Recovery Act of 1970, a comprehensive report and plan for the creation of a system of national disposal sites for the storage and disposal of hazardous wastes, including radioactive, toxic chemical, biological, and other wastes which may endanger public health or welfare. Such report shall include: (1) a list of materials which should be subject to disposal in any such site; (2) current methods of disposal of such materials; (3) recommended methods of reduction, neutralization, recovery, or disposal of such materials; (4) an inventory of possible sites including existing land or water disposal sites operated or licensed by Federal agencies; (5) an estimate of the cost of developing and maintaining sites including consideration of means for distributing the short- and long-term costs of operating such sites among the users thereof; and (6) such other information as may be appropriate."

Report to  
Congress.

(c) Section 215 of the Solid Waste Disposal Act (as so redesignated by subsection (b) of this section) is amended by striking out the heading thereof and inserting in lieu thereof "GENERAL PROVISIONS"; by inserting "(a)" before "Payments"; and by adding at the end thereof the following:

Ante, p. 1229.

84 STAT. 1233  
84 STAT. 1234

"(b) No grant may be made under this Act to any private profit-making organization."

Grants, pro-  
hibition.

SEC. 105. Section 216 of the Solid Waste Disposal Act (as so redesignated by section 104 of this Act) is amended to read as follows:

Appropriation.

"SEC. 216. (a) (1) There are authorized to be appropriated to the Secretary of Health, Education, and Welfare for carrying out the provisions of this Act (including, but not limited to, section 208), not to exceed \$41,500,000 for the fiscal year ending June 30, 1971.

"(2) There are authorized to be appropriated to the Secretary of Health, Education, and Welfare to carry out the provisions of this Act, other than section 208, not to exceed \$72,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$76,000,000 for the fiscal year ending June 30, 1973.

"(3) There are authorized to be appropriated to the Secretary of Health, Education, and Welfare to carry out section 208 of this Act not to exceed \$80,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$140,000,000 for the fiscal year ending June 30, 1973.

"(b) There are authorized to be appropriated to the Secretary of the Interior to carry out this Act not to exceed \$8,750,000 for the fiscal year ending June 30, 1971, not to exceed \$20,000,000 for the fiscal year ending June 30, 1972, and not to exceed \$22,500,000 for the fiscal year ending June 30, 1973. Prior to expending any funds authorized to be appropriated by this subsection, the Secretary of the Interior shall consult with the Secretary of Health, Education, and Welfare to assure that the expenditure of such funds will be consistent with the purposes of this Act.

Program  
evaluation.

“(c) Such portion as the Secretary may determine, but not more than 1 per centum, of any appropriation for grants, contracts, or other payments under any provision of this Act for any fiscal year beginning after June 30, 1970, shall be available for evaluation (directly, or by grants or contracts) of any program authorized by this Act.

Funds,  
availability.

“(d) Funds appropriated under this section shall remain available until expended.”

## TITLE II—NATIONAL MATERIALS POLICY

Citation  
of title.

SEC. 201. This title may be cited as the “National Materials Policy Act of 1970”.

SEC. 202. It is the purpose of this title to enhance environmental quality and conserve materials by developing a national materials policy to utilize present resources and technology more efficiently, to anticipate the future materials requirements of the Nation and the world, and to make recommendations on the supply, use, recovery, and disposal of materials.

National  
Commission  
on Materials  
Policy.  
Establishment.  
Membership.

SEC. 203. (a) There is hereby created the National Commission on Materials Policy (hereafter referred to as the “Commission”) which shall be composed of seven members chosen from Government service and the private sector for their outstanding qualifications and demonstrated competence with regard to matters related to materials policy, to be appointed by the President with the advice and consent of the Senate, one of whom he shall designate as Chairman.

Travel  
expenses, etc.  
84 STAT. 1234  
84 STAT. 1235  
Study.

(b) The members of the Commission shall serve without compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in carrying out the duties of the Commission.

SEC. 204. The Commission shall make a full and complete investigation and study for the purpose of developing a national materials policy which shall include, without being limited to, a determination of—

(1) national and international materials requirements, priorities, and objectives, both current and future, including economic projections;

(2) the relationship of materials policy to (A) national and international population size and (B) the enhancement of environmental quality;

(3) recommended means for the extraction, development, and use of materials which are susceptible to recycling, reuse, or self-destruction, in order to enhance environmental quality and conserve materials;

(4) means of exploiting existing scientific knowledge in the supply, use, recovery, and disposal of materials and encouraging further research and education in this field;

(5) means to enhance coordination and cooperation among Federal departments and agencies in materials usage so that such usage might best serve the national materials policy;

(6) the feasibility and desirability of establishing computer inventories of national and international materials requirements, supplies, and alternatives; and

(7) which Federal agency or agencies shall be assigned continuing responsibility for the implementation of the national materials policy.

(b) In order to carry out the purposes of this title, the Commission is authorized—



(1) to request the cooperation and assistance of such other Federal departments and agencies as may be appropriate;

(2) to appoint and fix the compensation of such staff personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of such title relating to classification and General Schedule pay rates; and

(3) to obtain the services of experts and consultants, in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed \$100 per diem.

(c) The Commission shall submit to the President and to the Congress a report with respect to its findings and recommendations no later than June 30, 1973, and shall terminate not later than ninety days after submission of such report.

(d) Upon request by the Commission, each Federal department and agency is authorized and directed to furnish, to the greatest extent practicable, such information and assistance as the Commission may request.

SEC. 205. When used in this title, the term "materials" means natural resources intended to be utilized by industry for the production of goods, with the exclusion of food.

SEC. 206. There is hereby authorized to be appropriated the sum of \$2,000,000 to carry out the provisions of this title.

Approved October 26, 1970.

Agency cooperation.  
Personnel.  
  
80 Stat. 443, 467.  
5 USC 5101, 5331.  
Experts and consultants.  
80 Stat. 416.  
Report to President and Congress.  
Termination.  
Agency assistance.  
  
"Materials."  
  
Appropriation.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 91-1155 (Comm. on Interstate and Foreign Commerce) and No. 91-1579 (Comm. of Conference).

SENATE REPORT No. 91-1034 accompanying S. 2005 (Comm. on Public Works).

CONGRESSIONAL RECORD, Vol. 116 (1970):

June 23, considered and passed House.

July 31, Aug. 3, considered and passed Senate, amended in lieu of S. 2005.

Oct. 7, Senate agreed to conference report.

Oct. 13, House agreed to conference report.







91ST CONGRESS  
1ST SESSION

# S. 2005

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 9, 1969

Referred to the Committee on Public Works and ordered to be printed

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## AMENDMENTS

Intended to be proposed by Mr. BOGGS (for himself, Mr. BAKER, Mr. BAYH, Mr. COOPER, Mr. EAGLETON, Mr. INOUE, Mr. MONTROYA, Mr. MUSKIE, Mr. PEARSON, Mr. RANDOLPH, and Mr. SPONG) to S. 2005, a bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes, viz: On page 10, line 11, insert the following:

1        TITLE II—NATIONAL MATERIALS POLICY

2        SEC. 201. This title may be cited as the “National Mate-  
3        rials Policy Act of 1969”.

4                        DECLARATION OF PURPOSE

5        SEC. 202. It is the purpose of this Act to enhance  
6        environmental quality and conserve materials by developing  
7        a national materials policy to utilize present resources and

1 technology more efficiently, to anticipate the future materials  
2 requirements of the Nation and the world, and to make rec-  
3 ommendations on the supply, use, recovery, and disposal of  
4 materials.

5 ESTABLISHMENT OF COMMISSION

6 SEC. 203. (a) There is hereby created the National  
7 Commission on Materials Policy (hereafter referred to as the  
8 "Commission") which shall be composed of seven members  
9 chosen from Government service and the private sector for  
10 their outstanding qualifications and demonstrated competence  
11 with regard to matters related to materials policy, to be ap-  
12 pointed by the President with the advice and consent of  
13 the Senate, one of whom shall be designated as Chairman.

14 (b) The members of the Commission shall serve without  
15 compensation, but shall be reimbursed for travel, subsistence,  
16 and other necessary expenses incurred by them in carrying  
17 out the duties of the Commission.

18 DUTIES OF THE COMMISSION

19 SEC. 204. (a) The Commission shall make a full and  
20 complete investigation and study for the purpose of develop-  
21 ing a national materials policy which shall include, without  
22 being limited to, a determination of—

23 (1) national and international materials require-  
24 ments, priorities, and objectives, both current and future;

25 (2) the relationship of materials policy to (a)



1 national and international population size, and (b) the  
2 enhancement of environmental quality;

3 (3) recommended means for the extraction, devel-  
4 opment, and use of materials which are susceptible to  
5 recycling, reuse, or self-destruction, in order to enhance  
6 environmental quality and conserve materials;

7 (4) recommended opportunities and incentives for  
8 the operation of the free enterprise system in such a man-  
9 ner as to complement and further the national materials  
10 policy;

11 (5) means of exploiting existing scientific knowl-  
12 edge in the supply, use, recovery, and disposal of ma-  
13 terials and encouraging further research and education in  
14 this field;

15 (6) means to effect coordination and cooperation  
16 among Federal departments and agencies in materials  
17 usage so that such usage might best serve the national  
18 materials policy; and

19 (7) the feasibility and desirability of establishing  
20 computer inventories of national and international ma-  
21 terials requirements, supplies, and alternatives.

22 (b) In order to carry out the purposes of this Act, the  
23 Commission is authorized—

24 (1) to request the cooperation and assistance of such

1 other Federal departments and agencies as may be  
2 appropriate;

3 (2) to appoint and fix the compensation of such  
4 staff personnel as may be necessary, without regard to  
5 the provisions of title 5, United States Code, govern-  
6 ing appointments in the competitive service, and with-  
7 out regard to the provisions of chapter 51 and subchap-  
8 ter III of such title relating to classification and General  
9 Schedule pay rates; and

10 (3) to obtain the services of experts and consultants,  
11 in accordance with the provisions of section 3109 of  
12 title 5, United States Code, at rates for individuals not  
13 to exceed \$100 per diem.

14 (c) The Commission shall submit to the President and  
15 to the Congress a report with respect to its findings and  
16 recommendations no later than June 30, 1971, and all  
17 authority under this Act shall terminate ninety days after  
18 the submission of such report.

19 (d) Upon request by the Commission, each Federal  
20 department and agency is authorized and directed to furnish,  
21 to the greatest extent practicable, such information and as-  
22 sistance as the Commission may request.



## AUTHORIZATION OF APPROPRIATIONS

1  
2 SEC. 205. There is hereby authorized to be appropriated  
3 the sum of \$2,000,000 to carry out the provisions of this  
4 Act.

5 Renumber remaining titles and sections accordingly.

Amend the title so as to read: “A bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, to establish a National Commission on Materials Policy, and for other purposes.”

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# **AMENDMENTS**

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Intended to be proposed by Mr. Boggs (for himself, Mr. Baker, Mr. Bayh, Mr. Cooper, Mr. Eagleton, Mr. Inouye, Mr. Montoya, Mr. Muskie, Mr. Pearson, Mr. Randolph, and Mr. Spong) to S. 2005, a bill to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes.

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SEPTEMBER 9, 1969

Referred to the Committee on Public Works and  
ordered to be printed